NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

MAKING THE NATIONAL SECURITY COUNCIL "BETTER IN THE BAHAMAS" TO RESOLVE ILLEGAL MIGRATION
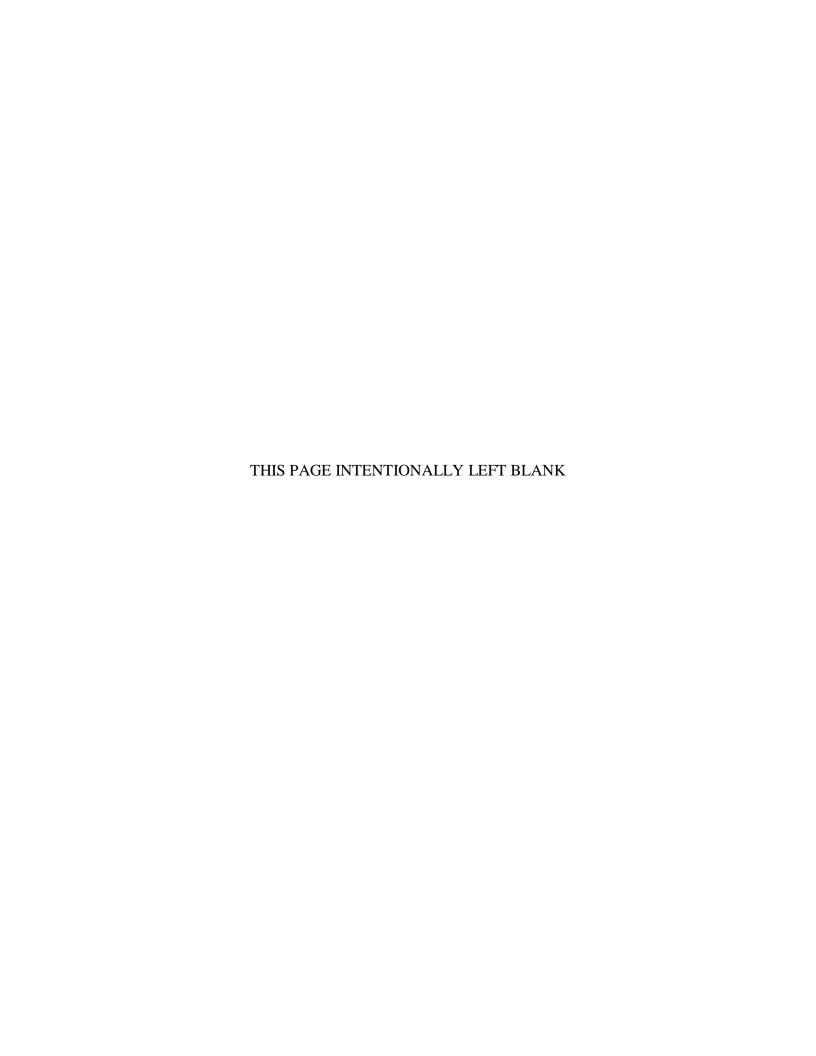
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December 2015

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Reissued 3 Mar 2016 with correction to degree

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REPORT DOCUMENTATION PAGE		*Form Approved OMB No. 0704–0188*

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.

1. AGENCY USE ONLY *(Leave blank)*	2. REPORT DATE December 2015	3. REPORT TYPE AND DATES COVERED Master's thesis	
4. TITLE AND SUBTITLE MAKING THE NATIONAL SECURITY COUNCIL "BETTER IN THE BAHAMAS" TO RESOLVE ILLEGAL MIGRATION		**5. FUNDING NUMBERS**	
6. AUTHOR(S) Darren A. Henfield			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000		**8. PERFORMING ORGANIZATION REPORT NUMBER**	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		**10. SPONSORING / MONITORING AGENCY REPORT NUMBER**	

11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number _____N/A_____.

12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited	12b. DISTRIBUTION CODE

13. ABSTRACT (maximum 200 words)

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   This thesis examines how the NSC and its processes might optimally engage to realize strategic-level resolutions to the country's challenges. Both strategic and operational recommendations are offered to mitigate the Haitian problem. It is concluded that while The Bahamas has strong institutions, its hesitancy in developing a comprehensive and coherent national security strategy will prove detrimental if not remediated. Bahamian authorities will then be less reflexive and more assertive in seeking to reduce national security threats to the island nation.

14. SUBJECT TERMS The Bahamas, national security council, civil-military relations, tourism, opportunistic maritime criminality, national security strategy, national insecurity, U.S.-Bahamian relations, Haitian migration, transnational and domestic crime			15. NUMBER OF PAGES 91
			16. PRICE CODE
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU

NSN 7540–01-280-5500

Standard Form 298 (Rev. 2–89)
Prescribed by ANSI Std. 239–18

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MAKING THE NATIONAL SECURITY COUNCIL "BETTER IN THE BAHAMAS" TO RESOLVE ILLEGAL MIGRATION

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(COMBATING TERRORISM: POLICY & STRATEGY)**

from the

**NAVAL POSTGRADUATE SCHOOL
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LIST OF ACRONYMS AND ABBREVIATIONS

AUTEC	Atlantic Undersea Test and Evaluation Center
CARICOM	Caribbean Community
CMA	Comprehensive Maritime Agreement
CMR	Civil-Military Relations
FNM	Free National Movement
HCG	Haitian Coast Guard
HNP	Haitian National Police
HMBS	Her Majesty's Bahamian Ship
NSC	National Security Council
OPBAT	Operation Bahamas and Turks & Caicos Islands Agreement
PLP	Progressive Liberal Party
RBDF	Royal Bahamas Defence Force
RBPF	Royal Bahamas Police Force
SOLAS	International Convention for the Safety of Life at Sea
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCLOS II	United Nations Convention on the Law of the Sea II
US	United States of America
USCG	United States Coast Guard

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I. INTRODUCTION

> National security, as defined by defense specialists, first entails defense in the narrowest concept—the protection of a nation's people and territories from physical attack; and second, the more extensive concept of protection of political economic interests considered essential by those who exercise political power to the fundamental values and vitality of the state.
>
> —Waltraud Morales, 1989

A.   PURPOSE

The only way to describe the current national security strategy of The Bahamas is "reflexive" because no strategy has ever been formally pronounced or published. Meanwhile, the country remains challenged by such transnational crime as human smuggling, drug trafficking, illegal immigration, arms trafficking, and poaching of its fisheries resources. To date, the country's response to these issues might be characterized as unanchored in any kind of comprehensive policy or strategic framework. A national strategic plan, replete with diplomatic, military, intelligence, and law enforcement initiatives, would serve to mitigate the threats and continue to foster a social environment essential to the country's economic survival.

Geographically positioned just fifty nautical miles southeast of the United States, The Bahamas enjoys a thriving tourist industry. The stability of an economy underwritten by tourism depends on the government's ability, through its security apparatus, to maintain an orderly, safe, and stable environment. More, as the Caribbean Basin forms the third border of the United States, the Bahama Islands sit astride the chain and serve as a transshipment point for illegal narcotics en route to North American markets. In addition, the unabated influx of economic migrants from Haiti, seeking a better life in The Bahamas or, eventually, in the United States, has plagued the country for years. There seem to be no ready solution.

For this reason the Bahamian government recently invested some $232 million to upgrade the fleet of the Royal Bahamas Defence Force (RBDF). According to the

nation's chief executive, Prime Minister Perry G. Christie: "In this vein, we must spare no effort at both the strategic and operational levels to put an end to cross-border criminal activities, such as illegal immigration; human trafficking; drug smuggling; and arms trafficking."[1] Christie's declaration rightly avers that matériel, though essential to achieving national security, must be accompanied by considered policy and strategic solutions to obtain the desired conclusions. As such, equipping the military to fulfill its mandate of protecting the nation's territorial integrity is but half of the battle. Realization of the whole depends on whether policy and strategy can be merged to optimize the use of both human and other resources.

In general, the RBDF is mandated to protect the territorial integrity of The Bahamas, assist in times of disaster, help other law enforcement agencies maintain order in The Bahamas, and perform any other duties as may from time to time be directed by the Security Council.[2] To carry out these functions, RBDF personnel are allowed under section 5 of the Defence Force Act, 1980 to enjoy the powers and immunities of customs officers and peace officers.[3] In congruence with UNCLOS (signed by The Bahamas in 1982), the Archipelagic Waters and Maritime Jurisdiction Act, 1993, sections 5 and 6, provides RBDF members enforcement powers within the exclusive economic zone, archipelagic waters, territorial seas, and internal waters of the archipelago to function as peace, customs, immigration, and fisheries officers for the purpose of boarding vessels in Bahamian territory.[4]

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1. Matt Maura, "PM Vows Even Greater Resolve to End Transnational Crime," *Nassau Guardian,* 23 September 2014. http://www.thenassauguardian.com/news/50471-pm-vows-even-greater-resolve.

2. Defence Act, section 4, http://laws.bahamas.gov.bs/cms3/images/LEGISLATION/PRINCIPAL/1979/1979-0007/DefenceAct_1.pdf.

3. Ibid., section 5(1). A member of the Defence Force, shall, while on duty, have, exercise and enjoy all the powers, authorities, privileges and immunities and perform all the responsibilities of a customs officer under sections 96, 97, 98, 102, 109, 126 and 138 of the Customs Management Act, and shall be deemed to be a customs officer for the purposes of the said sections. (2) A member of the Defence Force, shall, while on duty, have, exercise and enjoy all the powers, authorities, privileges and immunities of a peace officer under section 31 of the Dangerous Drugs Act, and shall be deemed to be a peace officer for the purposes of the said section.

4. Archipelagic Waters and Maritime Jurisdiction Act, 1993, sections 5–6, http://laws.bahamas.gov.bs/cms3/images/LEGISLATION/PRINCIPAL/1993/1993-0037/ArchipelagicWatersandMaritimeJurisdictionAct_1.pdf.

Of note is the 1980 sinking of the HMBS *Flamingo* by the Cuban air force while enforcing Bahamian fisheries laws. The incident served to baptize the newly formed RBDF by fire, and to endear a sense of nationhood across the scattered islands of The Bahamas. Shortly after capturing two Cuban vessels engaged in fishing illegally on the Great Bahama Bank, the *Flamingo*—a 102-foot Bahamian fast-patrol craft—was fired upon and sunk by Cuban MIG fighters, resulting in the loss of four Bahamian seamen.[5] The Cubans, who initially claimed that the entire incident was somehow provoked by the U.S. Central Intelligence Agency and that they mistook the clearly marked Bahamian military vessel for a pirate ship, eventually apologized and paid reparations for the loss of the vessel and crewmen.[6]

Noticeably, Bahamian military personnel—unlike their U.S. counterparts, who are restrained from domestic operations by the American Posse Comitatus Act of June 1878—are lawfully empowered to operate domestically. In reality, the RBDF, whose main focus from inception has been maritime border security, has traditionally exercised law enforcement powers. Separate from the organization's occasional involvement with disaster preparedness and relief operations, its main focus is the interdiction of drug smugglers, poachers, and illegal migrants. Ultimately, RBDF leaders are pretty much left to themselves to determine how their efforts are prioritized with the exception of the periodic public outcry over invasive foreign fishing fleets or unwanted Haitian boat landings.

B.   IMPORTANCE OF THE ISSUE

This research seeks to determine the role of the National Security Council (NSC) in ensuring that it remains "Better in The Bahamas," as touted by the country's long-running tourism mantra.[7] Specifically, it will examine how the NSC and its process must lead the strategic-level resolution to national and transnational threats in The Bahamas,

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5. Michael Craton and Gail Saunders, *Islanders in the Stream: A History of the Bahamian People* (Athens, GA: University of Georgia Press, 2011), 371.

6. Ibid., 371.

7. Official Nassau Paradise Island, Bahamas, Vacation Guide, accessed 9 November 2015, http://www.nassauparadiseisland.com.

including, perhaps most urgently, illegal immigration from Haiti. Granted the economic, criminal, and perhaps even terroristic threats inherent in this Haitian problem, the proposed project will examine ways that an improved NSC process could benefit the country and the region.[8]

Despite the many cross-border threats faced by The Bahamas, the government in Nassau has never produced a national security policy demonstrating contemplation of an adequate response. Yet, crime associated with illegal drug trafficking, small arms smuggling, youth gang violence, corruption, and criminal deportees are identified by the Caribbean Community (CARICOM) as the "principal threats and obstacles to the social and economic development" of the region.[9] While Bahamian security authorities— whether law enforcement or armed forces—have responded to these challenges as they arise, little sustained progress can be made to address larger, underlying conditions with no clear or complete strategic guidance or coordination.

All told, The Bahamas needs an NSC that fulfills its fundamental functions of democratic control and effectiveness by implementing comprehensive national security policies capable of meeting the post-9/11 realities. Such an outcome is significant to the security, economic, and social well-being of the country. The NSC must produce and implement a broad national security plan that includes a comprehensive maritime arrangement, foreign relations overtures, and immigration initiatives, aimed toward ameliorating the Haitian immigration issue. The absence of such a plan results in the continuance of the status quo, in which Bahamian and American citizens are forced to abide both the costs and potential security risks linked to uncontrolled Haitian immigration to their respective countries.

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8. Dawn Marshall, *The Haitian Problem: Illegal Migration to the Bahamas* (Cave Hill, Barbados: Institute of Social and Economic Research, University of the West Indies, 1979), xiii.

9. CARICOM: Strategic Plan for the Caribbean Community 2014–2019: Repositioning CARICOM, vol. 1, The Executive Plan, iii, http://caricom.org/jsp/secretariat/EXECUTIVE%20PLAN%20VOL%201%20-%20FINAL.pdf.

C.   CIVIL-MILITARY RELATIONS

Scholarship concerned with developing policy-making structures that include the necessary oversight of the security apparatus, among other things, is sorely wanting. Scholars of civil-military relations (CMR) readily appreciate that earlier works on the subject did little to address the "wider problem of democratic management and implementation of defense and security policy."[10] Nonetheless, experts have determined the need for developing countries, to which category The Bahamas is designated due to its specific "social, economic and environmental vulnerabilities,"[11] to cultivate a robust CMR component in their effort to achieve comprehensive national security goals and objectives. CMR proponents recognize that CMR is established and propagated through "training and engaging government officials in an informed, active, and continuing dialogue with military officers."[12] Further, it is also known that in countries such as The Bahamas where NSCs actually exist, the NSCs have no active part in policy making and take no active part in national security.

In *The Soldier and the State*, Samuel P. Huntington's normative outlook stressed the notion that the military is shaped by both "a functional imperative stemming from threats to society's security and societal imperative arising from the social forces, ideologies, and institutions dominant within the society."[13] He recognized society's need for protection and the inherent tensions existing between political and military leaders.

Trying to establish balance between a powerful military and its civilian leadership following World War II, Huntington submitted that "objective civilian control" of the military might achieve the desired equilibrium for CMR while enhancing national security, as it allows military professionals the freedom to demonstrate competence

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10. Andrew Cottey, Timothy Edmunds, and Anthony Forster, "The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations," *Armed Forces & Society* 29, no. 1 (2002): 32.

11. European Union, Islands, Country Vulnerability, and Resistance Profile, accessed 9 November 2015, https://sustainabledevelopment.un.org/content/documents/5229260attrdlu7.pdf.

12. Johanna Mendelson Forman and Claude Welch, "Civil-Military Relations: USAID's Role," Washington, DC: USAID Center for Democracy and Governance, 1998, 8, http://pdf.usaid.gov/pdf_docs/pnacc887.pdf.

13. Samuel P. Huntington, *The Soldier and the State* (Harvard University Press, 1957), 219–220.

unhindered by political elites.[14] Objective civilian control, then, might be described as a successful means by which political leaders ensure the political neutrality of the military, while simultaneously improving the national security platform. As a result, political control is maintained without military interference.

On the other hand, Huntington argued that "subjective civilian control," in opposition to objective civilian control, caused friction between military and civilian leaders because it sought expansion of the civilian power through reduction of military influence.[15] While Huntington's perspective on objective and subjective control of professional military institutions is useful, it fails to address the issue of maintaining military effectiveness in varying situations. Ultimately, though, even Huntington recognized that advancing national security necessitated civilian control of the military.[16]

After Huntington, scholars of CMR took two distinctive paths, which included the study of military sociology and institutions of CMR in developing countries.[17] In *The Professional Soldier*, Morris Janowitz concludes that military professionalism is the linchpin to civilian control. He cautioned, however, that overreliance on "the creation of an apolitical military in order to ensure civilian control" was impractical.[18]

Accepting that the monitoring of military behavior is a civilian prerogative, Feaver suggests that the question of how civilians monitor such behavior has normative underpinnings. He asserts that this normative framework encouraged Huntington's endearment of "the Clausewitzean distinction: civilians handle policy (politics), the military handles operations."[19] He concludes that the government, then, is the legitimate arbiter of when force is to be employed, while the military is the approved agent of its application. Feaver's work credibly builds on the foundational work of Huntington and

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14. Huntington, *The Soldier and the State*, 80.

15. Ibid., 81.

16. Ibid., 8.

17. Cottey et al., "The Second Generation Problematic," 32–35.

18. Suzanne C. Nielsen, "Civil-Military Relations Theory and Military Effectiveness," *Public Administration and Public Policy* 10, no. 2, 61–84, 66.

19. Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Harvard University Press, 2009), 99.

others through its formulation, as it "helpfully puts both effectiveness and control at the center of civil-military relations research agenda."[20]

Rebecca Schiff's "Civil-Military Relations Reconsidered: A Theory of Concord" contends that "the military, the political elites, and the citizenry" ought to establish a cooperative relationship with less emphasis on separation.[21] Apart from suggesting the presence of a harmonious existence between civilian leadership and the military under certain conditions, Schiff's concordance theory introduces the necessity for a tripartite relationship for CMR to function optimally. Concordance theory emphasizes "dialogue, accommodation, and shared values or objectives among the military, the political elites, and society" while stressing "discussion, accommodation, and shared values" among society's partners.[22]

Further theoretical progression in CMR is provided in "The Second Generation Problematic: Rethinking Democracy and Civil-Military Relations," in which the authors shifted "focus away from the control of the military in domestic politics and toward the wider problem of democratic management and implementation of defense and security policy."[23] Among other things, the authors argue that it was necessary to broaden the debate on CMR beyond its fixation with praetorianism to include actually governing the affairs of the security sector. The authors' "second generation" reform of CMR focused on "issues of state capacity; that is the ability of democratic state structures to provide effective management of the armed forces and defense policy."[24]

Even more, in *The Routledge Handbook of Civil-Military Relations*, Thomas Bruneau and Florina Cristina Matei examined the effectiveness of CMR among selected countries with a view to possible improvements of control, effectiveness, and efficiency in CMR. Their research highlighted the lacunae in the field created by Huntington's

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20. Nielsen, "Civil-Military Relations Theory and Military Effectiveness," 61–84, 78.

21. Rebecca L. Schiff, "Civil-Military Relations Reconsidered: A Theory of Concordance," *Armed Forces & Society* 22, no. 1 (fall 1995): 7–24, http://afs.sagepub.com/content/22/1/7.

22. Rebecca L. Schiff, *The Military and Domestic Politics: A Concordance Theory of Civil-Military Relations* (New York: Routledge, 2008), 43.

23. Cottey et al., "The Second Generation Problematic," 32.

24. Ibid., 40.

inchoative work and sought to build on the tripartite framework as a result of research grounded in dialogue with CMR scholars and practitioners.[25] They concluded that CMR must be a dynamic aspect of democracy in both developing and older democracies.[26]

To clarify the role of democratic institutions as determinants of social and political outcomes, Thomas Bruneau and Scott D. Tollefson build on Max Weber's theory of new institutionalism. They assert that an appreciation of the roles of institutions, inclusive of "formal or informal procedures, routines, norms, and conventions," is vital to an appreciation of how society manages power.[27] This understanding forces attention on institutions, such as "ministries of defense, legislatures, the military as a profession, control of military budgets, the means by which intelligence is gathered and applied, military education, and the recruitment system," that control CMR.[28] New Institutionalism, according to CMR specialists Bruneau and Tollefson, "directs our attention to the centrality of institutions in structuring relations of power, through the conditions of their creation, the interests of those involved in creating them, and the influence of pre-existing institutional models" and merges to cover the issues of civilian leadership of the military.[29]

Moving beyond traditional CMR dispositions, Bruneau and Tollefson offer three elements vital to political governance of the security sector: a functioning administration, oversight, and an involved civil society.[30] Appreciating the diversity among states and types of administrative regimes, concordance theory succeeds in finding relevance in both transitioning democracies and established democracies. Intellectuals in the field, however, acknowledge the many challenges associated with the development of defense

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25. Thomas Bruneau and Florina Cristiana Matei, eds., *The Routledge Handbook of Civil-Military Relations* (New York: Routledge, 2012), 1.

26. Ibid., 3.

27. Thomas C. Bruneau and Scott D. Tollefson, eds., *Who Guards the Guardians and How: Democratic Civil-Military Relations* (Austin, TX: University of Texas Press, 2009), 153.

28. Ibid., 6.

29. Ibid., 7.

30. Schiff, "Civil-Military Relations Reconsidered," 13.

and national security policy. Ultimately, though, actual policy making demands determinations that match available resources if the desired outcome is to be realized.[31]

In *The Military Transition: Democratic Reform of the Armed Forces*, Narcis Serra recounts the process of developing and implementing policy in Spain during their transition to democracy. The statesman and scholar explicate a model fit for replication by others crafting military policy. According to Serra, military reform policy must be inclusive of overall governmental reform. In the case of Spain, overall integration of military and national policy included the appointments of military commanders to key political positions and the enactment of laws that served to synchronize efforts in "defence, foreign and general government policies."[32] Serra also emphasized the importance of the role to be played by the minister of defence in the conduct of CMR. The minister, says Serra, "must be very clear that the fundamental issue at stake in civilian-military relations is power and that as minister he must hold the reins in terms of power."[33]

In "National Security Councils: Their Potential Functions in Democratic Civil-Military Relations," Thomas Bruneau, et al., examined how an adequately functioning NSC "enhances civilian control" and enables "the effective implementation of roles and missions."[34] Their research scrutinized NSCs, in whatever iteration identified, of eight countries and found very little harmony of practice among them. The authors discovered that the existence of an NSC implied "neither democratic civilian control nor effective strategy formulation or coordination.[35]

Furthermore, the researchers discovered that the few NSCs in existence have very little involvement in their respective countries' "national security and defence, or in

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31. Bruneau and Tollefson, *Who Guards the Guardians,* 112–13.

32. Narcís Serra and Peter Bush, *The Military Transition: Democratic Transform of the Armed Forces* (Cambridge University Press, 2010), 69.

33. Ibid., 81.

34. Thomas C. Bruneau, Florina Cristiana Matei, and Sak Sakoda, "National Security Councils: Their Potential Functions in Democratic Civil-Military Relations," *Defense & Security Analysis* 25, no. 3 (2009): 256.

35. Ibid., 257.

democratic civil-relations." This reality pertained even to the United States, whose NSC was set-up in 1947 by the U.S. Congress. Even so, scholars concerned with reform of the security sector resolved that across the world, governments desired "democratic control, effectiveness, and efficiency" in their security forces.[36]

The researchers determined that an optimally functioning NSC fulfilled a minimum of seven main roles. These include: (1) guiding the chief executive on matters of national security; (2) coordinating national security agencies to consensus and policy enactment; (3) communicating policies to legislators; (4) filtering intelligence for policymakers; (5) composing national security strategies; (6) ensuring teamwork and application of strategies among operators; and (7) synchronizing foreign relations and national security exertions.[37] Undoubtedly, this study memorializes the importance of a functioning NSC toward maximizing civilian control of the national security apparatus.

In summary, CMR is a vital aspect of democracy that involves the participation of the whole of society, including the political elites, military professionals, and the civilian population. It cuts across all sizes and manner of states in pursuance of security while maintaining harmony between the purveyors of power and the instruments used to achieve it. The formative works of Huntington, Janowitz, Feaver, and others laid a firm foundation upon which second generation scholars such as Schiff, Bruneau, and their contemporaries continue to build a more effective framework for achieving the desired outcome of an optimally functioning CMR paradigm.

D.   POTENTIAL EXPLANATION AND HYPOTHESES

The Commonwealth of The Bahamas, like other former British colonies, inherited strong institutions upon independence. In the post-colonial era, however, The Bahamas has struggled to develop a national security organization apt to the tasks of expertly fending off threats to its national security.

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36. Bruneau et al., "National Security Councils," 256.

37. Ibid., 257–58.

Scholars suggest that "successful policy and strategy are only possible if those who are in power, the national security professionals, who support them, the national media, who over watch them, and an informed public prepare themselves to participate."[38] Hence, political efforts to secure Bahamian borders will not materialize until all of the stakeholders produce and embrace a comprehensive plan managed by civilian and military leadership. Until, a workable national security and defense strategy is produced and implemented, policy aspirations are likely to remain elusive.

Military acquiescence to civilian leadership is a prominent feature of democracy. Methods of implementing and maintaining civilian control of the military remains, however, a knotty problem in both seasoned and still-developing democratic regimes. Even in the face of increased demands for more nimble military institutions capable of opposing evolving threats, too many countries have no national security blueprint. Numerous governments manifest a particular aversion to creating holistic defense and security policies. Specialists suggest that part of the reason for this inertia, as demonstrated by Latin American politicians in this regard, is their desire to maintain a harmonious coexistence with the military establishment. Caribbean leaders also undoubtedly consider the possible negative effects of a disgruntled military. Yet, they may find solace in the notion that historically the U.S. government has responded relatively promptly to quell military misbehavior in the Caribbean region. Caribbean countries, then, present an entirely different paradigm relative to military control as evinced in countries like Brazil and Argentina whose central aim is controlling the military.

In any event, politicians in developing countries must recognize that CMR with security is among the more basic prerequisites for enhancement. In this study, it is hypothesized that a more deliberately engaged NSC will improve The Bahamas' ability to more capably address its national security and defense challenges.

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38. Harry Richard Yarger, *Strategy and the National Security Professional: Strategic Thinking and Strategy Formulation in the 21st Century* (Westport, CT: Praeger Security International, 2008), 3.

E. RESEARCH DESIGN

This thesis explicates progressive CMR initiatives aimed at effective NSC functions, such as the creation, promulgation, and implementation of a comprehensive national security policy to meet the challenges that the country faces. An analysis of best and worst practices, as evinced by the United State is examined to determine the best way forward for implementation on a smaller scale in the Bahamian framework.

As the principal aim of this study is to ascertain whether the national security challenges confronting The Bahamas might be mitigated by enhanced CMR, it is necessary to conduct an analysis of the literature relative to the influence of CMR on leveraging better national security outcomes. The indispensable building blocks of effective CMR are "democratic control, effectiveness, and efficiency."[39] Scholars conclude that the NSCs of few nations fulfill all of the "fundamental functions of democratic control and effectives."[40] In the end, this thesis will explain how implementation of CMR best practices can mitigate the national security challenges of The Bahamas.

F. RESEARCH OVERVIEW

The second chapter of this thesis reveals Bahamian national insecurity since the islands' discovery in 1492. It traces historical maritime challenges to Bahamian national security from pre-independence, post-independence, to present and exposes that opportunistic maritime criminality has historically been part of the Bahamian experience. This section also expounds on how issues will diminish the country's relatively prosperous economic outlook if left unchecked.

Chapter III discusses the current structures and processes of The Bahamas' national security paradigm by explaining the functions of the NSC, the Ministry of National Security, the RBDF and others. This chapter also observes that the present national security regime of The Bahamas might be improved through deliberate CMR

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39. Bruneau et al., "National Security Councils," 256.

40. Ibid., 255.

initiatives and applications focused on enhanced civilian involvement. It holds that the mounting security challenges faced by the country will only be effectively managed through a properly functioning NSC, which articulates a holistic national security strategy aimed toward systematic and comprehensive initiatives in response to domestic and transnational threats to the nation.

Chapter IV explains what is known in The Bahamas as the Haitian problem. It traces the historical yet contemporary roots of the problem fueled by Bahamians, migrants, and their governments, which has now manifested social, security, and other concerns in The Bahamas. Apart from examining the socioeconomic challenges of Haiti, which fuels the problem, this section also reveals the inefficacy of the perennial Bahamian policy of apprehend, detain, and repatriate employed by successive Bahamian administrations for more than fifty years. It proffers the urgent need for a comprehensive national security strategy that is aimed toward mitigating illegal immigration from Haitian and seeks to secure Bahamian borders and save Haitian lives that are frequently lost on the dangerous journey to The Bahamas and elsewhere.

The final chapter of this thesis offers conclusions and recommendations for bringing the Haitian problem under control before it results in civil unrest as evidenced by growing national anti-Haitian sentiments throughout The Bahamas. This chapter demonstrates that a properly functioning NSC, possessed of a holistic, coherent, and manageable national security strategy, can improve the future economic and social future of The Bahamas by bringing more acute focus to the Haitian issue at home and in Haiti. As a result, the Bahamian-Haitian illegal immigration problem might be mitigated and Haitian lives saved.

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II.   PERENNIAL MARITIME CHALLENGES

Expulsis Pirates—Restituta Commercia[41]

When Christopher Columbus first made landfall in the Americas in 1492—on the Bahamian island of San Salvador—The Bahamas literally became the gateway to the New World.[42] Since then, the archipelago's more than seven hundred islands, rocks, and cays have been generally exploited by many seeking, as did Spain with Columbus, riches through unfettered abuse of the country's maritime domain.

Expatriate settlers of the islands, and later, Bahamians and others, have historically sought opportunistic fortune by embracing nefarious maritime activities in the islands. Pirates, rum runners, drug smugglers, and others long operated with relative impunity in the waters of The Bahamas.

These problems persist today, despite the best efforts over the years by U.S. and Bahamian authorities to eradicate the unlawful enterprise—perhaps in part because of the well-established legacy of such maritime lawlessness. This chapter touches on the main pre- and post-independence challenges in U.S.–Bahamian relations, as well as current maritime threats faced by the country, which have much to do with this legacy. It pays particular attention to the nation's checkered past of illegal maritime activity, a continuity that today threatens to cast a pall of insecurity on that George Washington once described as the "Isles of Perpetual June."[43]

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41. Due to the effective methods employed by Captain Woodes Rodgers—first royal governor of the Bahamian Islands—to rid the islands of marauding pirates in 1718, the colony was able to ascribe the motto "Expulsis pirates, restituta commercia," which means "pirates repulsed, commerce restored." See "History of The Bahamas," *Encyclopedia Britannica Online,* http://www.britannica.com/place/The-Bahamas.

42. David Russell Harris, "The Bahamas: Islands, West Indies," in *Encyclopedia Britannica Online*, accessed 15 July 2015, http://www.britannica.com/place/The-Bahamas.

43. John O. Williams, "Rodent Problems of the West Indies," in *Proceedings of the Twelfth Vertebrate Pest Conference* (Paper 62, 1986), 184.

A.   MARITIME LAWLESSNESS UNDER COLONIAL RULE

Even though the islands of The Bahamas had been under British rule since 1670, "they were at the mercy of the wild, lawless brigands who pirated the area."[44] Raiding pirates like Charles Vane, Mary Reed, Anne Bonny, and Edward Teach—more widely known as Blackbeard—represented the foremost danger posed to the stability of the colony in its inchoative years.[45] These violent men and women in search of booty unleashed unprecedented levels of lawlessness in Bahamian waters during their ascendance at the turn of the eighteenth century.

On the other hand, the proliferation of piracy in The Bahamas and in other Caribbean territories governed by the English realm was nothing short of peculiar, especially since Henry VIII had created a law to deal with pirates in 1536.[46] King Henry's Offences at Sea Act supposedly signaled England's sovereign intent to eradicate piracy wherever it might be found within the Crown's remit.[47] Yet by 1563, determined to share in the windfall of gold being extracted from the Americas by Spain, Queen Elizabeth I effectively legitimized piracy by sanctioning privateers to intercept Spanish galleons by force for their precious cargo.[48]

Through the 1570s, even though English and Spanish relationships were restored, English pirates and adventurers continued to subvert Spanish hegemony region while Queen Elizabeth turned a blind eye.[49] Over decades, buccaneers raided "Spanish coastal towns and, to a lesser degree, shipping while using the colonial ports" of England and others "as safe havens."[50] British seaborne brigands enjoyed such a free run in the islands

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44. Sylvia Perfetti Dupuch, "Pirates: Opting for a Short but Merry Life," in *Bahamas Handbook and Businessman's Annual* (Dupuch Publication, 2014), 85.

45. Ibid., 81.

46. Arne Bialuschewski, "Pirates, Markets and Imperial Authority: Economic Aspects of Maritime Depredations in the Atlantic World, 1716–1726," *Global Crime,* 9, no:1–2 (2008), 52, http://dx.doi.org/10.1080/17440570701862769.

47. Ibid., 53.

48. Jon Latimer, *Buccaneers of the Caribbean: How Piracy Forged an Empire* (Harvard University Press, 2009), 13.

49. Ibid., 14.

50. Bialuschewski, "Pirates, Markets and Imperial Authority," 53.

of The Bahamas that it was widely reported that these pirates dreamed not of going to heaven after death, but of returning to New Providence.[51]

In 1670, the Crown conveyed the islands to "Lords Proprietors of the Province of Carolina," whose objective was to establish a commercially viable colony.[52] Respect for law and order, however, had so deteriorated in the colony by the early 1700s that pirate Captain Vane openly snubbed the Crown by declaring himself governor of the territory.[53] It was not until pirate activities began to threaten British commerce that the Crown was bestirred, half a century later, to commission a royal governor with the mandate to restore order by any means necessary.[54] Woodes Rodgers took his office seriously and moved judiciously to eradicate the unwanted mariners from the area.[55] Backed by nearly two thousand trained British soldiers, Rogers effected the surrender and royal pardon of some 1,000 pirates and summarily hanged those who refused his truce.[56] By Crown Proclamation in 1729, Rodgers established a representative assembly in an effort to maintain order on the islands.[57] Rodgers' administration managed to check piracy, but his islands still struggled with criminal elements. To "enforce the laws and keep the peace without having to resort to either the garrison or the militia," a police force was created in 1789.[58] With few options for livelihood, though, the country continued to exploit its strategic layout.[59]

The American Civil War (1861–1865) ushered in another period of geographically based—and basically nefarious—economic opportunity for The Bahamas, which readily accommodated Confederate blockade runners seeking to resupply Southern

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51. Dupuch, "Pirates: Opting for a Short but Merry Life," 81.

52. Patricia Beardsley Roker, "Nassau's Historic Government Buildings," in *Bahamas Handbook and Businessman's Annual* (Dupuch Publication, 2014), 127.

53. Dupuch, "Pirates: Opting for a Short but Merry Life," 81.

54. Harris, "The Bahamas," 2.

55. Dupuch, "Pirates: Opting for a Short but Merry Life," 81.

56. Harris, "The Bahamas," 2.

57. Ibid., 2.

58. Craton and Saunders, *Islanders in the Stream,* 20.

59. Barbara J. Nowak, "Keeping It Better in the Bahamas: A Nation's Socioeconomic Response to Juvenile Crime," *Journal of Black Studies* 31, no. 4 (March 2001), 484.

ports in Savannah, Charleston, and Wilmington.[60] Trade value in Nassau rose from just under £400,000 to more than £10,000,000 by 1864, a mere three years into the war.[61] It was not until Southern states fell to Union forces that blockade running ceased in the islands.[62] The islands experienced a severe economic depression at the end of the American Civil War.[63]

Islanders then turned their attention to the wrecking or salvage industry, a more or less natural business amid the many treacherous reefs in the waters of The Bahamas, particularly in an age of imprecise, insufficient, or unavailable navigation aids. Salvage itself is a legitimate maritime business, but it took on a Bahamian twist. It was widely held that local mariners would extinguish lighthouses so that passing ships would run aground on the dangerous shoals and their cargo might be recovered and sold.[64] In 1865, a circuit magistrate reported that the inhabitants of the islands derived their principal income from the wrecking system, which required immediate and urgent measures to prevent cargoes from theft.[65] Officials eventually succeeded in discouraging illegal maritime industry by the late 1880s through vigorous law enforcement and prosecutions.[66]

Prohibition in 1919 in America provided another opportunity for maritime lawlessness in pursuit of wealth and riches in the islands of The Bahamas.[67] Reports indicate that a lucrative rum-running industry was established in The Bahamas to smuggle liquor into a thirsty United States.[68] Estimates by the U.S. Department of

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60. Craton and Saunders, *Islanders in the Stream,* 77.

61. Ibid., 77.

62. Ibid., 78.

63. Nowak, "Keeping It Better In The Bahamas," 484.

64. Craton and Saunders, *Islanders in the Stream,* 142.

65. Ibid., 142.

66. Ibid., 142.

67. U.S. Constitution, Amendment XVIII, https://www.law.cornell.edu/constitution/amendmentxviii.

68. Nicholas A. Snow, "Rum Row and the Plunder Problem," Working paper (George Mason University, 2011), 17, http://nicholasasnow.com/Site/Research_files/Rum%20Row%20and%20the%20Plunder%20Problem%20101511.pdf.

Commerce concluded that rum traders racked up approximately $40,000,000 in 1924.[69] The Bahamian islands of Nassau and Bimini experienced a tremendous boom due to the rum trade.[70] In the end, "the Prohibition era (1919–1933) had given Bahamians the opportunity profitability to smuggle alcohol into the United States."[71] What is more, it served as the precursor to the post-independence drug trade in the archipelago.[72]

The Crown mounted sporadic efforts to preserve order on its seas by means of the occasional Royal Navy patrol of the territory.[73] Apart from these infrequent blue-water patrols, the police force conducted limited maritime law enforcement activities in Nassau Harbour with a launch procured in 1958.[74] The single launch for maritime law enforcement was indicative of the laissez-faire approach taken by the British in its colonies. "Neglect of the sea and maritime security" was commonplace in the English-speaking Caribbean.[75] In 1964, the British government enacted the first constitution in The Bahamas and thereby granted the islands internal self-governance, but the Crown "retained control of foreign affairs, defense, and internal security."[76] Through what is known as "the Grey Agreement," Sir Ralph Grey, the governor of the islands at the time, granted the U.S. Coast Guard (USCG) unrestricted access into Bahamian waters to rescue or assist distressed vessels.[77] This agreement formed an important building block for future maritime law enforcement arrangements between the countries aimed at addressing mutual challenges.

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69. Snow, "Rum Row," 17.

70. Ibid., 17.

71. Michael Craton, *Pindling: The Life and Times of Lynden Oscar Pindling, First Prime Minister of the Bahamas, 1930–2000* (Macmillan Caribbean, 2002), 8.

72. *Nassau Guardian,* "Drug Trafficking via the Bahamas," 6 September 2012, http://www.thenassauguardian.com/index.php?option=com_content&view=article&id=33897:drug-trafficking-via-the-bahamas&catid=48:editorial&itemid=87.

73. Bahamas Defence Force, "History of the RBDF," accessed 18 July 2015, http://rbdf.gov.bs/history/.

74. Ibid.

75. Michael A. Morris, *Caribbean Maritime Security* (Palgrave Macmillan, 1994), 4.

76. Craton and Saunders, *Islanders in the Stream,* 337.

77. "Agreement between the Government of the United States of America and the Government of the Commonwealth of the Bahamas Concerning Cooperation in Maritime Law Enforcement," (Nassau, Bahamas: 29 June 2004), http://www.state.gov/documents/organization/108940.pdf.

B.   INDEPENDENCE AND MARITIME RESPONSIBILITIES

Scholars maintain that "the military struggle for the state in the Algerian revolution" (1954–1962) stirred the prospect of decolonization elsewhere.[78] That said, before World War II, it could be safely stated that "the sun never set on the British empire."[79] The Bahamas was no exception, but unlike the French, who begrudgingly relinquished their colonies, the British granted independence to Bahamians willingly.[80] But for minor internal opposition from the descendants of Loyalists and expatriates who left America during the Revolutionary War, the Commonwealth of the Bahama Islands quietly transitioned to self-rule on 10 July 1973.

The government of The Bahamas soon realized that governance was an art that did not automatically flow with sovereignty. Even more challenging were the complications of an archipelagic state with an open economy.[81] For the first time in their existence, Bahamians now had to manage their own foreign relations, especially with their most eminent superpower neighbor, the United States, while dealing with urgent matters of national security entirely under their own power. Both of these imperatives of independence had been formerly conducted by the Crown, inflected toward British interests.[82] Nassau had to rethink its assumptions about its maritime security, its national security, and its role in the world. This meant reviewing and renegotiating, where necessary, agreements made between the United States and United Kingdom "with little or no consultation with the Bahamian government."[83]

Signaling a desire for his country to meet its international obligations, the nation's first prime minister, Lynden O. Pindling, and his government joined the United Nations

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78. Carole Boyce Davies and Monica Jardine, "Imperial Geographies and Caribbean Nationalism: At the Border Between 'A Dying Colonialism' and U.S. Hegemony," *New Centennial Review* 3, no. 3 (fall 2003), 155.

79. David Pierce, "Decolonization and the Collapse of the British Empire," *Student Pulse* 1, no. 10 (2009), 1, http://www.studentpulse.com/articles/5/decolonization-and-the-collapse-of-the-british-empire.

80. Vaughn A. Lewis, "The Bahamas in International Politics: Issues Arising for an Archipelago State," *Journal of Interamerican Studies and World Affairs* (1974): 131.

81. Ibid., 131.

82. Craton and Saunders, *Islanders in the Stream,* 337.

83. Craton, *Pindling,* 242.

(UN) in October 1973. Pindling promised that the Commonwealth of The Bahamas would contribute to global efforts in support of the territorial integrity of states.[84] Bahamian representatives were able to fully participate in the "negotiations of the third U.N. Commission on the Law of the Sea (UNCLOS III), which started in 1973 and were concluded with the convention's signing at Montego Bay, Jamaica, in December 1982."[85]

UNCLOS III not only qualified The Bahamas as an archipelagic state, but the convention exponentially increased the maritime domain of the new state, which enabled the literal drawing of a complete baseline around the island chain.[86] Moreover, in taking literally the United Nation's concept of equality of nations, The Bahamas had in 1977— five years before the conclusion of UNCLOS III—declared a 200-mile exclusive zone in an effort to retain historical fishing grounds.[87] This step was a bold undertaking because it made the country's maritime boundaries overlap with those of the United States to the north, as well as with Cuba and others to the south.[88] Therefore, a median line could be lawfully drawn between adjacent territories to delimit boundaries in accordance with international law. Also in anticipation of UNCLOS, the administration moved to convert the country's token Police Marine Division into a respectable service capable of operating on both land and sea.[89]

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84. Lynden O. Pindling, United Nations General Assembly, Twenty-Eighth Session, 2135th Plenary Meeting, (New York, 1 October 1973), 2, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/NL8/304/19/PDF/NL830419.pdf?OpenElement.

85. Craton and Saunders, *Islanders in the Stream,* 368.

86. UNCLOS, Part IV, Article 47 (1) provides as follows: "An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1," http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf.

87. Craton and Saunders, *Islanders in the Stream,* 369.

88. Cuba and the Bahamas successfully concluded their maritime boundary delimitation agreement in 2012. See Archipelagic Waters and Maritime Jurisdiction, Exclusive Economic Zone and Territorial Seas Limits (Order, 2012), http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/2012/2012-0024/ArchipelagicWatersandMaritimeJurisdictionExclusiveEconomicZoneandTerritorialSeasLimitsOrder2012_1.pdf.

89. Bahamas Defence Force, 2.

Pindling envisioned that the nascent coast guard would tackle mounting challenges associated with safeguarding his nation's territory and rescuing mariners in danger on the sea. The leader set forth his government's vision for the maritime service at his party's twentieth National General Convention on 28 October 1975:

> What I would like to see is a force which will not only safeguard our sovereignty and independence but will also rescue lives at sea; a force which will keep out poachers and smugglers but will man our lighthouses and watch our sea-lanes; a force which not only will help to keep the peace but will also supply food and emergency relief to an island community ravaged by a disastrous hurricane or take much needed medical services to isolated communities; a force which not only will exemplify discipline, but will also exemplify the same by example in our communities where they may help to repair schools and roads and drains.[90]

Smuggling, poaching, and any number of other illicit maritime activities were left relatively unchecked during British rule of the country.[91] Upon independence, Pindling sought to tackle the almost unrestrained access of drug traffickers, foreign fishermen, and illegal Haitian immigration, which was suddenly propelled into the spotlight.[92] The new government determined to bring order to the nation's maritime domain, but failed to do so convincingly due to limited resources.

On 1 January 1976, the government instituted the Ministry of Defence, authorized the disbanding of the Police Marine Division, and established the RBDF.[93] The Defence Act of 1980 aptly foreshadowed the perceived challenges. The legislation broadly mandated the service to defend the country, safeguard its territorial integrity, patrol its waters, render assistance and provide relief during times of disaster, work with other law enforcement agencies to maintain order, and to carry out any other duties determined by the Security Council.[94] The prime minister hoped that his nascent RBDF could eliminate

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90. Craton, *Pindling,* 239.

91. Ibid., 370.

92. Craton and Saunders*, Islanders in the Stream,* 370.

93. Ibid., 239.

94. Defence Act, section 4, http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1979/1979-0007/DefenceAct_1.pdf.

the need for complete dependence on the USCG for recuing stranded boaters in Bahamian waters and also secure the country's borders from unwanted incursions by smugglers and poachers.

C.   U.S.–BAHAMIAN RELATIONSHIP PROBLEMATIC

As illustrated during America's revolutionary and civil wars, subversive use of Bahamian waters can negatively impact American security initiatives.[95] U.S. long-range missile facilities on the Bahamian islands of Grand Bahama, Eleuthera, San Salvador, and Mayaguana, established during British rule of the islands, further entrenched the U.S.–Bahamian security nexus.[96] Bahamian independence necessitated an acute appreciation by both Bahamian and American leaders of their symbiotic existence forced by geography. Only through cooperation could the two countries achieve the desired outcomes relative to the tough mutual security challenges they faced.[97]

Amid allegations of "high-level drug-related corruption" in the Bahamian government, U.S.–Bahamian relations fell into disrepair in the early 1980s.[98] In an effort to reclaim its international reputation, the government in Nassau conducted a public inquiry into drug corruption in 1983.[99] In the end, two cabinet ministers were forced to resign and a number of public officials and others were found culpable of active participation in the all-too-pervasive drug trade.[100] Though there was no firm evidence that the young nation's leader was guilty of involvement, the commission found that "…the whole nation must accept responsibility. Apathy and a weak public opinion" was to blame for the country's dilemma.[101]

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95. Harris, "The Bahamas: Islands, West Indies," 2.

96. Craton and Saunders, *Islanders in the Stream,* 373.

97. Ivelaw L. Griffith, *Caribbean Security on the Eve of the 21st Century* (Washington, DC: Institute for National Strategic Studies, 1996), viii.

98. Ibid., 14.

99. Philip Shenon, "Bahamas Leader Calls U.S. Drug Inquiry Baseless," *New York Times,* 22 September 1989, http://www.nytimes.com/1988/09/22/world/bahamas-leader-calls-us-drug-inquiry-baseless.html.

100. Craton and Saunders, *Islanders in the Stream,* 383.

101. Griffith, *Caribbean Security on the Eve of the 21st Century,* 15.

One silver lining behind the dark cloud was that the commission concluded that the police and defense forces were too poorly equipped to competently tackle the movement of drugs through The Bahamas enroute to the United States.[102] The government responded by enlarging both of its law enforcement organizations to better prosecute the war on drugs.[103] Mindful of The Bahamas' enduring geostrategic importance to U.S. national security—as evidenced by a variety of sensitive American military facilities[104] in Bahamian territory—both countries moved pragmatically to repair their relationship.[105]

Nonetheless, in explaining his concerns with The Bahamas to Congress in March 1989, President George H. W. Bush opined that "while the Government of the Commonwealth of The Bahamas is more active in investigating allegations of corruption, we are concerned by reports that corruption still exists. Prime Minister Pindling and his ministers must forcefully address the issue."[106] One month earlier, Bush's administration had donated six decommissioned U.S. Coast Guard cutters to the RBDF in an effort to shore up the force's aged and overworked fleet.[107] Security cooperation between the two states markedly improved as their agencies regularly engaged in joint operations and training opportunities intended to disrupt the flow of drugs between them.[108]

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102. Craton and Saunders, *Islanders in the Stream,* 383.

103. Ibid., 383.

104. As noted by Vaughn A. Lewis's "The Bahamas in International Politics," 34, "the United States has various military and strategic facilities in the archipelago which stem from its geographical proximity and character of its waters. In July 1950 the U.S. and British governments signed an agreement for the establishment of long-range proving ground for guided missiles in The Bahamas because of their proximity to launching facilities at Cape Kennedy, Florida. Another agreement has led to the establishment on Andros Island of an Underwater Testing Center." It should be added that the AUTEC Agreement has been since renewed by the government of an independent Bahamas. See http://www.thenassauguardian.com/index.php?option=com_content&view=article&id=1568.

105. Raymond A. Komorowski, *U.S. Strategic Interests in Latin America and the Impact of the NATO Short War Strategy* (Carlisle Barracks, PA: U.S. Army War College/Strategic Studies Institute, 1977), 6, http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA047582.

106. Griffith, *Caribbean Security on the Eve of the 21st Century,* 15.

107. *Nassau Guardian,* "PM Lauds Commodore Leon Smith for 'Positive Leadership' of RBDF," 23 September 2014, http://www.thenassauguardian.com/news/50470-pm-lauds-commodore-leon-smith-for-positive-leadership-of-rbdf.

108. Craton and Saunders, *Islanders in the Stream,* 383.

Several agreements were signed with the intention of improving collective law enforcement and security. The 1984 Carryover Agreement, the 1990 TRIPART MOU on OPBAT, the 1992 Notes, and the 1996 Shiprider Agreement, among others, all served to build a mutually beneficial U.S.–Bahamian relationship.[109] The high-level agreements have done rather less to interrupt the drug trade, however. It is notable that the U.S. Department of State's 2015 report on international narcotics control indicates that 2014 manifested record levels of marijuana seizure and eradication in Bahamian territory.[110]

The State Department acknowledges, however, that the "Bahamian government and law enforcement authorities are committed to combating illicit trafficking, and the United States and The Bahamas have a strong counternarcotics relationship."[111] Moreover, the Bahamian government's recent $230 million investment to upgrade the RBDF fleet and infrastructure indicates the administration's intent to secure Bahamian borders.

D. CURRENT SEABORNE THREATS—TERRORISM, TOURISM, AND HAITIANS

Since Al Qaeda's successful attacks on the American homeland in 2001, U.S. policy has forced The Bahamas and others to examine more closely its security apparatus in general and the ports and harbors in particular. America intends to achieve "maritime domain awareness" by developing a comprehensive picture of the world's maritime

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109. See "Agreement between the Government of the United States of America and the Government of The Bahamas Concerning Cooperation in Maritime Law Enforcement" for the mentioned agreements: the 1984 Carryover Agreement is described as an "understanding concerning military operating rights and maritime practices effected by exchange of notes dated 5 April 1984" ; the 1990 TRIPART MOU on OPBAT is described as a "Memorandum of Understanding between the United States, The Bahamas and the United Kingdom, including Turks and Caicos Island, concerning cooperation in the Fight against Illicit Trafficking of Narcotic Drugs through the use of Equipment and Personnel Based at Great Inagua and such other Bases as may be established in Turks and Caicos Islands" ; the 1992 Notes are described as an "Understanding concerning drug interdiction and other operations" ; and the 1996 Shiprider Agreement described as an "Agreement concerning Cooperative Shiprider and overflight Drug Interdiction Program for Joint Operations." http://www.state.gov/documents/organization/108940.pdf.

110. Quincy Parker, "U.S.: Bahamas Should Speed Pending Drug Extradition Requests," Nassau Guardian, 19 March 2015, http://www.thenassauguardian.com/bahamas-business/40-bahamas-business/54731-usbaha.

111. U.S. Department of State, "Country Report: The Bahamas," 2015 International Narcotics Strategy Report (INCSR), 1, http://www.state.gov/j/inl/rls/nrcrpt/2015/voll/238945.htm.

realm.[112] For obvious reasons, Bahamian ports, which are frequented by cruise ships and other vessels laden with vacationing Americans, form an integral part of this realm. Even more, 9/11 acutely exposed the precarious nature of tourism as the principle source of Bahamian gross domestic product. The closure of harbors and airports in the wake of the attacks not only resulted in the loss of millions of dollars all across the Caribbean Basin, but it literally brought tourist-dependent economies to a dreadful standstill.[113]

With so much at risk, no other challenge more epitomizes the current threat outlook of The Bahamas' need to secure its porous borders than the seemingly Sisyphean Haitian immigrant problem, with which the country has grappled for more than fifty years. Just prior to independence, Bahamian efforts to control the growing illegal immigrant population resulted in migration toward Florida. At one point, an "estimated 60 percent of all Haitians" living in Miami were believed to have previously lived in The Bahamas.[114] Even though the Haitian population in The Bahamas showed no noticeable growth between the 1970s and 1990s, by the mid-1980s, public awareness of the immigrants peaked.[115] The lopsided increase of Haitian communities on the islands of Abaco, Eleuthera, and Grand Bahama has manifested a xenophobic response throughout the country.[116]

Regardless of efforts by the USCG and RBDF to stem the unrelenting flow of Haitians out of their impoverished homeland, nearly one thousand migrants have been apprehended attempting to enter The Bahamas illegally so far in 2015.[117] Exacerbating the challenge of unabated Haitian incursions is that the 2010 National Census concluded

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112. David Rosenberg, "The Political Economy of Piracy in the South China Sea," *Naval War College Review* 62, No. 3 (2009): 54.

113. Anthony T. Bryan and Stephan E. Flynn, "Free Trade, Smart Borders, and Homeland Security: U.S.– Caribbean Cooperation in a New Era of Vulnerability" (Dante Fascell North-South Center, Working paper series, paper 8 (2002), 2, http://www.miami.edu/nsc/publications/NSCPublicationsIndex.html#WP.

114. Thomas D. Boswell, "In the Eye of the Storm: The Context of Haitian Migration to Miami, Florida," *Southeastern Geographer* 23, no. 2 (1983), 59.

115. William J. Fielding et al., "The Stigma of Being 'Haitian' in the Bahamas," *The International Journal of Bahamian Studies* 14 (2008): 39.

116. Ibid., 48.

117. Nico Scavella, "Defence Force Apprehend More than 100 Haitian Migrants," *The Tribune,* 9 August 2015, http://www.tribune242.com/news/2015/aug/10/defence-force-apprehends-more-100-haitian.

that nearly 40,000 Haitians were residing in The Bahamas, where the population at the time was merely 351,461.[118] Even more troubling is the notion that Haiti has also become a transshipment point for drugs into the wider region.[119] Such a proposition raises the stakes because drug and human smugglers are able to take advantage of the prevailing circumstances of escaping economic immigrants to trade in their wares.

In all, The Bahamas is faced with the unfavorable dichotomy of keeping its ports open, accessible, and welcoming, while simultaneously ensuring the safety of its nationals and visitors in the age of transnational terrorism and organized crime. Security, then, is recognized by Bahamian and regional officials as the most important threat to the sustainability of their economic existence. At a recent Caribbean Community (CARICOM) meeting of Caribbean leaders in Jamaica, which was attended by President Barack Obama, Prime Minister Christie implored the U.S. leader to use his good offices to curtail the flow of guns into the region.[120] Implicit in Christie's plea is the notion that guns originating in the United States are indiscriminately used to perpetrate violence throughout a region that does not produce them.

Similarly, Caribbean leaders have found the U.S. policy of deporting non-American nationals convicted of criminal conduct into the region to be an additional burden to stress resources. The policy forms part of the U.S. anti-crime and anti-terrorism initiative invoked in the 1990s for the purpose of reducing crime and mitigating the costs to taxpayers for incarcerated foreigners.[121] Between 1993 and 1999, however, the "Caribbean saw a total of 34,411 persons, 71 percent of whom had committed criminal

118. Krystal Rolle, "Census: Almost 40,000 Haitians in the Bahamas," *Nassau Guardian,* 12 November 2012, http://www.thenassauguardian.com/ index.php?option=com_content&view=article&id=353.

119. U.S. Department of State, "Country Report: Haiti," 2015 International Narcotics Control Strategy Report (INCSR), http://www.state.gov/j/inl/rls/nrcrpt/2015/vol1/238977.htm.

120. Reuter's Voice of America, "Obama Touts Clean Energy in Bid to Restore U.S. Leadership in Caribbean," 9 April 2015, http://www.voanews.com/articleprintview/2712441.html.

121. Keith Nurse, *Diaspora, Migration and Development in the Caribbean* (FOCAL, 2004), 8, http://lesopoval.org/pdf/ migration_Nurse_diaspora%20migration%20development%20Caribbean_September%202004_FPP-04-6.pdf.

offences, deported from the US."[122] Even if there is no empirical evidence to support the claim that the increase in crime being experienced throughout the Caribbean and Latin America is linked to the criminal alien deportation policy, foreign envoys report that "criminal activity among recent deportees is a 'major factor' or the 'main reason' for sharply rising crime rates" in their territories.[123]

Implications of the program to the current national security concerns of The Bahamas are worth serious consideration. It is not inconceivable that criminal deportees are apt to introduce "new skills and transnational networks into the region that contribute to drug trafficking, money laundering, kidnapping and immigrant smuggling."[124] Unleashing hardened professional criminals who earned their stripes in an advanced system like that of the United States upon an already-stressed criminal justice system in a region with minimally trained personnel and fiscal resources can result in more security degradation and concerns.[125] U.S. decision-makers have promised to work through the International Organization for Migration in an effort to assist reintegration of criminal deportees into The Bahamas and other countries.[126]

E.   CONCLUSION

As the gateway to the New World, The Bahamas was colonized for five centuries before gaining self-rule.[127] Through the years, the islands have been steeped in maritime lawlessness and bathed in the ebb and flow of the fickle boom-bust economies central to such activities. Pirates in the 1600s, confederate blockade runners in the 1800s,

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122. Nurse, *Diaspora, Migration and Development in the Caribbean*, 8.

123. Alexander T. Aleinikoff and Margaret H. Taylor, "Deportation of Criminal Aliens: A Geographical Perspective," *Inter-American Dialogue* (Working paper, June 1998), 9, http://dspace.africaportal.org/jspui/bitstream/123456789/18201/1/Deportation%20of%20Criminal%20Aliens%20A%20Geopolitical%20Perspective.pdf?1.

124. Nurse, *Diaspora, Migration and Development in the Caribbean,* 8.

125. Aleinikoff et al., "Deportation of Criminal Aliens," 2.

126. Cristina Fernandez, "Help for Deported Criminals, Resettled Here," Council on Hemispheric Affairs, http://www.coha.org/help-for-deported-criminals-resettled-here/.

127. Alan A. Block and Patricia Klausner, "Masters of Paradise: Organized Crime, Neo-Colonialism and the Bahamas," *Dialectical Anthropology* 12, no. 1 (1987), 85, http://www.jstor.org/stable/29790219.

bootleggers in the 1920s, and drug smugglers and others from the 1970s on have all exploited the Bahamian maritime domain.

As the world community has moved toward more accountability, an independent Bahamian government could not turn a blind eye to maritime criminality as did its colonial predecessors. Since 1973, while under the steady gaze of the most powerful country in the world, the Bahamian government has struggled to earn its place among the community of nations.

The jury is still out on whether the country is earning the trust and respectability necessary to be considered a trusted partner and committed ally in the security complex. It is certain, however, that there is much more to be done to secure The Bahamian maritime domain, and that the United States and The Bahamas are inextricably linked by their geography. As such, both must continue finding ways to bring to and maintain order in the Bahamian maritime sphere in the name of security.

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III. BAHAMIAN NATIONAL INSECURITY

> The claim of a modern state to monopolize the use of force is as essential to it as the character of compulsory jurisdiction and continuous organization.

> —Max Weber, 1964

According to Huntington, whether developing societies build and maintain institutions is decided by the capacity of their people.[128] The post-colonial development and upkeep of Bahamian institutions like the RBDF and National Insurance Board—to safeguard the country's borders and provide for the social welfare of citizens, respectively—arguably, suffices Huntington's capacity criteria in favor of Bahamians. However, as previously mentioned, The Bahamas lacks a national security strategy suitable to the task of competently addressing the issues of domestic crime, transnational crime, illegal emigration, poaching, and other threats to national security. To what extent can Nassau be said to be maintaining Bahamian institutions without a comprehensive and current national security strategy?

The Bahamas has an NSC, at least in name. However, Bahamian leaders have traditionally settled for allowing the Ministry of National Security to serve as the "foremost government entity charged with the responsibility" of managing national security affairs and security forces.[129] The security problems of The Bahamas have visibly outgrown the coverage capacity of a single ministry and must include the dedicated considerations of other ministries and agencies with a view to enabling comprehensive solutions to extant challenges.

Developing democratic states—like The Bahamas—struggle to establish distinct lines of separation between civilian and military roles as required for CMR to operate as effectively as it should. In the ideal national security policy-making situation, "political

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128. Samuel P. Huntington, *Political Order in Changing Societies* (New Haven, CT: Yale University Press, 1968), 39.

129. Ministry of National Security, "Overview of the Ministry of National Security," accessed 23 July 2015, http://www.bahamas.gov.bs/wps/portal/public/About%20Us/Overview.

leaders set clear objectives that support national interests" and the armed forces "clearly explain their capabilities and coordinate them toward achieving the strategic objective at a reasonable cost."[130] This outcome becomes more achievable with the existence of an effective and functioning NSC.

This chapter discusses the present posture of the Bahamian NSC, the fundamentals of an effective NSC, and the peculiar—and ambivalent—role that American security policy plays in the Bahamian national security stance.

A.   CURRENT POSTURE OF THE BAHAMIAN NSC

In its current deportment, the NSC—since its establishment in 1980—has yet to propose a national security plan or strategy to meet the internal or external threats to The Bahamas. The body plays no visible public role in the administration of the country's national security affairs. This reality persists despite the present construct of the NSC, whose politically appointed members include the prime minister, minister of defense (today national security), and any other minister or person appointed by the prime minister.[131]

Maybe like its powerful neighbor to the north—albeit on a much smaller scale in all conceivable aspects—The Bahamas can move rapidly to establish an all-inclusive approach to national security that will enable mitigation of the country's many challenges. In contrast to the NSC in the United States—established by the 1947 National Security Act specifically to advise the president in an integrated fashion on domestic, foreign, and military policies involving national security—the NSC in The Bahamas, instituted within the 1980 Defence Force Act, merely holds an administrative function in the hierarchy of the RBDF.[132] Thus, the NSC might determine leadership, deployment, and disciplinary issues, among other things, relevant to the management of the RBDF. Except for these very seldom-exercised administrative powers over the RBDF, the

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130. Douglas Porch, "Strategy Formulation and National Defense: Peace, War, and the Past as Prologue," in *Who Guards the Guardians and How,* 119.

131. Defence Act, 1980, section 9.

132. Joseph J. Romm, *Defining National Security: The Nonmilitary Aspects* (New York: Council on Foreign Relations, 1993), 3.

Bahamian version of the NSC concerns itself with few, if any, roles or missions of an effective NSC. Further, it is not readily recognized as an independent advisory organ to inform policy decisions of the government, even though it might be called on—from time to time—by the prime minister to consider matters relevant to the RBDF.[133] Therefore, the NSC exists in isolation of the legislature—unless invoked in the House of Assembly or the Senate—with the imprimatur of the prime minister or minister of national security. In reality, then, the NSC does not actively participate in national security strategy and planning initiatives to address concerns unless activated by the prime minister to so do. As a result, the Commander Defence Force is left to deal with the operational command of the RBDF with the directions of the minister of national security.[134] Subsequently, the RBDF and ministry of national security are left to work through their respective defense and security bailiwicks devoid of interaction with a deliberate national security. The minister of national security carries nearly sole responsibility for executing the government's national security policies relevant to illegal immigration, drug smuggling, poaching, domestic crime, transnational crime, and others.

At present, the role of the Bahamian NSC is to organize the work, functions, duties, and responsibilities of its members—inclusive of all matters essential to managing matters relative to the RBDF—as determinable by its members.[135] Accordingly, the council is virtually unrestricted in determining strategic policy and plans involving the RBDF, at least in principle. This assertion is founded on the notion that with the nation's chief executive as its chairman—even in its current legal construct as merely an administrative body—the NSC can effect security policy and strategy if it so chooses.[136] Except for its traditional posture, there is no impediment to the NSC injecting itself more deliberately in national security affairs beyond the mere management of the RBDF. Moreover, as the body presently can determine its own use, it is free to establish itself as

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133. Defence Act, 1980, section 9.

134. Ibid., section, 8.

135. Ibid., section 10.

136. Ibid., section 9.

an all-inclusive NSC with all of the necessary ministries, agencies, experts, and mandates to address threats to national security.

Nonetheless, Prime Minister Christie's recent promise to "spare no effort" to enact legislation aimed at addressing the mandate of the recently formed National Intelligence Agency and modernizing the NSC to manage the broader security sector concerns of the country has yet to be realized.[137] While Christie offered no details as to the objectives of his legislative overture, such an outcome might serve to bring focused organization to the country's trying national security affairs.

B.   ESSENTIALS OF AN OPTIMALLY FUNCTIONING NSC

Although the specific features of NSCs differ from country to country, an optimally working NSC seeks to develop an all-embracing, incorporated, and coherent national security strategy.[138] At its best, then, an NSC accounts for all national security concerns, involves each essential agency, and produces an implementable strategic plan to effectively tackle challenges. After all, the purpose of an NSC is to create strategies that "align policy with operational capabilities."[139] Furthermore, experts hold that NSCs should fulfill at least seven main functions: (1) advising the nation's leader on policies of national security and defense, (2) synchronizing the activities of national security and defense agencies, (3) communicating with national legislators on matters concerned with national security and defense, (4) correlating intelligence, (5) developing a national security and defense strategy, (6) ensuring cooperation between national security and defense agencies, and (7) executing determined strategies by establishing a nexus between the diplomatic corps and national security and defense exertions.[140] No

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137. Royston Jones, "PM Promises NIA, NSC Legislation," *Nassau Guardian,* 21 November 2014, http://www.thenassauguardian.com/news/51931-pm-promises-nia-nsc-legislation.

138. Norman A. Graebner, *The National Security: Its Theory and Practice, 1945–1960* (New York: Oxford University Press, 1986), 42.

139. Bruneau and Matei, "National Security Councils," 258.

140. Ibid., 257–58.

country's NSC fulfills all seven of these roles, "but if a government wants any or all of them dealt with," experts say an NSC-type organization is required.[141]

The Bahamian NSC fulfills none of these functions. Arguably, however, but for the production of a national security strategy, facilitation of the interaction of intelligence, and coordination of diplomatic and security exertions, it can be inferred that the ministry of national security is reasonably linked to the remaining functions by virtue of its daily management of Bahamian security forces. Therefore, seemingly following the pre-independence British model of ad hoc security management, the ministry of national security's nexus to any of the seven elements of an effective NSC is at best incidental. The Bahamas desperately requires an approach to national security that recognizes a documented and implementable national strategy and is managed by civilian and military security professionals. Such an approach has never been followed in The Bahamas.

As the cabinet minister with responsibility for national defense and security, the minister of national security is charged with directing the daily strategic affairs of security agencies. As a result, security of the country's borders and the management of domestic crime demand the minister's undivided attention. The minister's principle responsibility is to drive security policies, coordinate security agencies, and report to cabinet and lawmakers on matters pertinent to national security.[142]

As seen in the American context, an optimally functioning NSC must strive to provide an inclusive system of interacting bodies concerned with defense, foreign relations, and the overall interests of the nation.[143] Put another way, the U.S. "National Security Council exists to make strategy, to align policy with operational capabilities."[144] To be sure, the U.S. institution is not an exact-fit model for most states. Still, even in its

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141. Bruneau and Matei, "National Security Councils," 258.

142. Ministry of National Security, accessed 8 November 2015, http://www.bahamas.gov.bs/nationalsecurity.

143. Douglas T. Stuart, *Creating the National Security State: A History of the Law that Transformed America* (Princeton, NJ: Princeton University Press, 2008), 1.

144. Hew Strachan, "Making Strategy: Civil-Military Relations After Iraq," *Survival* 48, no. 3 (2006), 12.

most basic iteration, an NSC must be concerned with "creating inclusivity, diversity, and coordinated national security policy" to achieve the overall national objectives.[145]

Inclusivity translates to harmonization—as much as practicably possible—of agencies, departments, and decision-makers with a view to collectively informing the execution of policy.[146] In essence, various functions and roles of state machinery necessary to tackling assorted security challenges are deliberately and methodically coordinated toward this end. Diplomatic, intelligence, defense, economic, energy, and security initiatives and exertions that "fit in with the nation's geopolitical prospects and economic health" will become focused and less impromptu in nature.[147]

The idea is that all of the stakeholders, charged with analyzing specific issues of national import and implementing possible solutions, coordinate their efforts to solve problems.[148] A national security strategy for The Bahamas should manifest awareness of offerings by relevant public think tanks, diplomatic exertions, the environmental response and protection operatives, tourism, the economy, the fishing industry, and other elements that pertain to a comprehensive national security policy. All of the diverse areas mentioned must be coordinated through the NSC to develop an integrated approach to Bahamian national security beyond just security and defense, as is currently the case. This outcome will demand not only political leadership and professionally trained military officers, but also a cadre of educated and trained civilians conversant with CMR and strategic planning and policy implementation.

Consequently, when operating at its finest, an NSC or its surrogate distills and correlates pertinent information that leads to policy making by the chief executive, synchronizes and ensures execution of strategies, liaises with legislators to procure oversight and funding of security and defense initiatives proffered by the executive, deciphers various intelligence strains for use by policy-makers, writes national security

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145. William W. Newman, *Managing National Security Policy: The President And The Process* (Pittsburgh: University of Pittsburg Press, 2003), 49.

146. Ibid., 49.

147. Thomas C. Bruneau, "Efficiency in the Use of Resources," in *The Routledge Handbook of Civil-Military Relation*s (Routledge, 2012), 40.

148. Newman, *Managing National Security Policy,* 49.

missives for necessary dissemination, shapes concord between stakeholders with the imprimatur of the chief executive, and provides alternatives to normal diplomatic channels.[149] An NSC capable of achieving these roles is indispensable to the well-being of a nation's universal interests.

More importantly, however, is the proposition that a best-functioning NSC enables the execution of the myriad roles and responsibilities of the national security complex by creating a one-stop option, where all of the moving parts are present.[150] This arrangement removes the potential for gaps or lags in communication or coordination that might lead to ruinous consequences. Through an involved and participatory NSC, more cohesion is brought to bear on the challenges of a country in all spheres of security operations. Moreover, such an outcome furthers potential realization, not only of national security, but also national economic development. An integrated NSC that is representative of all stakeholders—including political, military, non-governmental, intelligence, foreign affairs, and others—is critical to enhancing civilian control and effectiveness of the military in democracies.[151]

C. U.S. INFLUENCE ON THE BAHAMAS

The Bahamas' dependent existence in the looming hegemonic shadow of the United States possibly accounts for the lack of inspiration demonstrated by Bahamian leaders to more ardently shape the country's national security outcome. Since realizing self-rule in 1973, The Bahamas has striven to "maintain its place as one of the most politically stable, if not most complex, Caribbean nations in the modern world."[152] It is undeniable that the multiplex nature of the country, distinct from others in the region, is in no small measure attributable to its proximity to the United States, from where The Bahamas derives the lion share of its tourists.

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149. Bruneau and Matei, "National Security Councils," 257–58.

150. Bruneau and Tollefson, eds., *Who Guards the Guardians and How,* 6.

151. Bruneau et al., "National Security Councils," 255.

152. Nowak, "Keeping It Better In The Bahamas," 483.

The drug problem—which might be at the root of the current challenges faced by the young nation—exemplifies this reality. Arguably, no other country in the region experienced the weight of American expectations due to the "US-led, hemispheric anti-drug cooperation" policies like The Bahamas.[153] The strategic importance of The Bahamas to the drug trade moved American officials to turn off the spigot from which drugs flowed through The Bahamas into the United States, while simultaneously requiring Bahamian authorities to respond in kind if the country wished to arrest America's then-waning favor.[154]

Moreover, other than Puerto Rico the islands of The Bahamas "contain more strategic U.S. military installations than any other area in the Caribbean, and they control hundreds of miles of northern approaches to that sea… [Thus, they] warrant a kind of special concern within America's Caribbean policy."[155] Perhaps of even more strategic importance than the Operation Bahamas and Turks & Caicos Islands Agreement (OPBAT) facilities is the U.S. Navy's Atlantic Undersea Test and Evaluation Center (AUTEC), strategically situated near the tongue of the ocean at Andros. This subsurface facility is "utilized for testing of new types of weaponry" and avails ready defense of the eastern seaboard of the United States.[156]

Forced to recalibrate its efforts following disclosures of corruption and inadequacies in the 1980s, Bahamian authorities readily banded with American officials to reduce drug trafficking. As a result, The Bahamas "on a per capita basis, was unequaled anywhere else in the world" in its response to U.S. initiatives to stamp out the drug trade through The Bahamas.[157] Even if reluctantly, Bahamian leaders readily

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153. Morris, *Caribbean Maritime Security,* 133.

154. Craton, *Pindling,* 300.

155. Lewis, "The Bahamas in International Politics," 147.

156. Council on Hemispheric Affairs, "The U.S. Military's Presence in the Greater Caribbean Basin: More a Matter of Trade Strategy and Ideology than Drugs," accessed 12 November 2015, http://www.coha.org/the-u-s-militarys-presence-in-the-greater-caribbean-basin-more-a-matter-of-trade-strategy-and-ideology-than-drugs/.

157. Nowak, "Keeping It Better in the Bahamas," 485.

acquiesced to requests for American assets and operatives to enter Bahamian territory at will in order to execute drug interdiction efforts.[158]

Bahamian support of the U.S. drug strategy was further manifested by being the only one out of forty-three CARICOM countries to ratify the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances—alongside the United States.[159] By so doing, Bahamian political leaders arguably signaled their complete alliance with the United States in the war on drugs.

In reality, the USCG—and by extension the U.S. government—has enjoyed unfettered formal access to Bahamian territory since the 1964 Grey Agreement between Washington and London. The USCG has been able to enter Bahamian waters without much fuss for many years. Therefore, Bahamian shortfalls along the way in the war on drugs through its territory are not completely unrelated to American shortcomings in this regard. In short, it might be reasoned that since American operatives—who have historically enjoyed decades of relatively free way in Bahamian waters—also fell short of the mark in preventing drugs entering the United States from Bahamian space.

Even more, among the numerous bilateral and multilateral agreements between countries to mitigate drug trafficking, none more exemplifies the agreed efforts of partner-nations like the 1983 Operation Bahamas and Turks and Caicos Island Agreement (OPBAT), which approved the permanent stationing of American air assets strategically throughout The Bahamas.

The multi-agency tripartite arrangement represents an "international drug interdiction effort focused on stopping the flow of illegal drugs from South America and the Caribbean through The Bahamas, Turks and Caicos, and the United States."[160] Essentially, OPBAT enables the United States to shore up Bahamian equipment and

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158. Craton and Saunders, *Islanders in the Stream,* 384.

159. Trevor Munroe, "Cooperation and Conflict in the US-Caribbean Drug Connection," in *The Political Economy of Drugs in the Caribbean,* edited by Ivelaw L. Griffith (London: Macmillan, 2000), 183.

160. U.S. Embassy, "U.S. and Bahamian Officials Attend Opening of $20M OPBAT Hangar on Inagua Island," Press release (Nassau, Bahamas, 21 March 2013), http://nassau.usembassy.gov/newopbathangar2013.html.

operational deficits by placing U.S. Coast Guard and Army equipment and specialized personnel at joint operation bases in Nassau, Exuma, and Great Inagua.[161] Although counter-narcotics efforts are the main focus of the agreement, the agreement also avails the use of assets for disaster mitigation response, immigrant interdiction, and search and rescue operations throughout The Bahamas.[162] In 2013, the operation had succeeded in reducing the "flow of cocaine through The Bahamas from 80% to 10% and is considered one of the most successful counter drug enforcement initiatives in the region."[163]

Based on the lack of Bahamian effort to create a national security strategic policy and the country's dependence on American support, it is arguable that Bahamian executives are content to wait for the United States to turn its attention to Bahamian problems as it did with the drug issue. All told, Bahamians have become dependent on the United States for not just tourism, but also for determining challenges of strategic importance to both nations.

D.   CONCLUSION

Observers note that great powers take unilateral action relative to their interests across the globe, but "they find it difficult to allow the same privilege to small countries."[164] Developing countries, particularly those like The Bahamas that are solely dependent upon good external relations and favorable international conditions to maintain their viability, are often forced to make adjustments as a result of unilateral United States policy initiatives. In the case of The Bahamas and the United States, however, it is unlikely that America will object to any initiative put forward by The Bahamas to safeguard the country's territorial integrity because by so doing, American borders are also made more secure.

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161. Military.com Network, "OPBAT—Operation Bahamas and Turks and Caicos Islands," accessed 31 October 2015, http://www.military.com/HomePage/UnitPageFullText/0.13476.710582.00.html.

162. U.S. Embassy, "U.S. and Bahamian Officials Attend Opening."

163. Ibid.

164. Lewis, "The Bahamas in International Politics," 148.

More than forty years ago, The Bahamas' first prime minister, Lynden O. Pindling, recognized the important geopolitical positioning of his country and articulated the following at his party's 1975 annual convention:

> The Bahamas, with an area of 100,000 square miles, not 5,000 square miles [measuring its land only], sits astride the most important sea-lanes linking the Caribbean, Central America and the Gulf of Mexico, to Eastern North America and Western Europe. These realities give The Bahamas a strategic significance over other Caribbean territories. In addition to the fact of the strategic location of The Bahamas, the nature of the Bahamian submarine geography has caused it to be selected as a site for facilities connected with the United States global submarine defence strategy.[165]

Pindling rightly outlined the importance of his country's fortuitous geographical location—which has undoubtedly enabled it to lead the Caribbean region in per capita GDP—but he possibly underestimated the strategic importance of a secure Bahamian territory to the security of the United States. Likely even more importantly, Pindling misjudged America's resolve to shut down the drug trade in Bahamian waters.

The current Bahamian prime minister, faced with a spiraling crime problem, indicates his government's intent to take concrete steps toward incorporating the NSC more readily into the country's national security paradigm. Encouragingly, by so doing Christie has become the first Bahamian prime minister in forty-two years of an independent Bahamas to appreciate the need for greater coordination of the country's national security efforts. Christie, however, faces a colossal task of creating a bureaucratic regime that no longer leaves the minister of national security as the sole arbiter charged with defending and securing The Bahamas. Admittedly, such an endeavor will receive some resistance on the part of the minister of national security. This will also mean educating and training civilians—beyond their current ordinary public service administrative requirements—to engage in the planning and management of issues related to national security.

Unless Bahamians can bridge the gap between the recognition of challenges and the development of solutions aimed toward achieving the desired outcomes, while

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165. Craton, *Pindling,* 342.

managing collective expectations over requirements, the country's national insecurity will only intensify. Surely enabling the Bahamian NSC to become deliberately involved in policy making "based on careful analysis of the international situation, including diplomatic, economic, intelligence, military," and other necessary factors, will not alone provide the much-needed panacea to the myriad of security and other problems.[166] To ameliorate the multifaceted Haitian problem will require far more. An operationalized NSC, however, would represent a step toward finally developing a comprehensive plan for Bahamian national security.

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166. Richard A. Best, "The National Security Council: An Organizational Assessment" (Washington, DC: Congressional Research Service, 2011), 1, https://www.fas.org/sgp/crs/natsec/RL30840.pdf.

IV.   THE BAHAMIAN–HAITIAN ILLEGAL IMMIGRATION PROBLEM

> Wandering between two worlds, one dead, the other powerless to be born.
>
> —Matthew Arnold, 1855

Often described as stubborn and extremely vexing, unabated illegal immigration of Haitians to The Bahamas forms an entrenched and complex problem with national security implications. It continues to burden Bahamian resources while authorities persist with the same ineffective response of "catch and release"—the long-standing policy of apprehending undocumented Haitian nationals in Bahamian territory and forcing their repatriation to Haiti. This approach has been practiced by Bahamian governments since before independence. In the meantime, untold numbers of Haitians perish at sea annually in boats that are unseaworthy while seeking a better life elsewhere.

This chapter discusses the Haitian problem as generally seen from the Bahamian perspective, along with contemporary Haitian political and economic challenges that have fueled the constant efforts of Haitian nationals to immigrate to The Bahamas at the risk of tragically dying at sea. It also establishes the extent to which Haitian immigration demands a national strategic response, although to date, no comprehensive national security strategy has been forthcoming.

A.   THE HAITIAN PROBLEM

Though an extremely politically charged and divisive topic throughout the Bahamian archipelago, expressed through sporadic and mostly venomous missives to editors of national dailies, successive Bahamian governments have failed to prioritize illegal Haitian immigration as a national security imperative. Bahamians generally believe that Haitians are taking over their country with little effort while authorities sit idly by, doing little to nothing to ameliorate the issue.

Dawn Marshall's 1979 book *The Haitian Problem: Illegal Migration to the Bahamas* offers a dispassionate, scholarly study of the issue of Haitian immigration to

The Bahamas. Among other things, Marshall's work calls for a pragmatic and reasonable approach by all in efforts to solve the problem.[167] The problem, she writes, is multifaceted and deeply complex. Illegal Haitian immigrants are a "crucial source of cheap, reliable, motivated labor" that has tremendously benefitted the Bahamian agricultural sector.[168] A recent comment by the Bahamian Minister of Foreign Affairs, Fred Mitchell, however, exemplifies growing Bahamian anxiety over the issue of unchecked illegal immigration to the country by Haitian nationals. Concerned about the general tenor of a Haitian–Bahamian community meeting in Nassau, Mitchell asserted that some rhetoric used by participants in the meeting "bordered on incitement" and encouraged a police investigation of the matter.[169]

As such, the problem touches every conceivable facet of the political and socioeconomic spheres of The Bahamas. Bahamian employees seek cheap labor, which migrants readily supply; Bahamian laborers seek better wages, which immigrants drive down through their willingness to work for less. As a result, Haitian immigrants are seen as a source of obtaining wealth by business owners and as a threat by workers whose livelihoods they jeopardize. Haitian children born in The Bahamas are constitutionally entitled to apply for citizenship at the age of eighteen.

Elected politicians must also manage the fiscal burdens—perceived or real, as no recent empirical data has been publicized—that immigrants place on national services, such as education and health care.[170] As a result, already meager fiscal resources that might be otherwise used to address much-needed infrastructural upgrades, the fight against rising crime levels, and securing the territorial integrity of The Bahamas are redirected to support a growing illegal immigrant population.

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167. Larry Smith, "Bahamian Angst Over Shanty Towns," *Bahama Pundit,* 31 July 2013, http://www.bahamapundit.com/2013/07/bahamian-angst-over-shanty-towns.html.

168. Ian Strachan, "The Haitian Problem: East Street Blues," *Nassau Guardian,* 2 June 2011, http://www.thenassauguardian.com/opinion/op-ed/10752-the-haitian-problem.

169. Sloan Smith, "Mitchell Says GBHRA 'Lost in Space,'" *Nassau Guardian,* 27 August 2015, http://www.thenassauguardian.com/news/58668-mitchell-says-gbhra-lost-in-space.

170. Strachan, "The Haitian Problem."

1.   Contemporary Haitian Immigration to The Bahamas

The Bahamas and Haiti share historical linkages that go back to their discovery by Columbus in 1492. Their proximity in the Caribbean Sea (they are separated by only sixty nautical miles across the Windward Passage) and their shared colonial and ancestral African roots facilitated economic and trade linkages between the eighteenth and nineteenth centuries.[171]

Stimulated by the rising Bahamian tourism economy of the 1950s and deteriorating political conditions in Haiti that resulted from the dictatorial practices of Jean-Claude "Papa Doc" Duvalier, Haitian nationals started immigrating to and through the islands of The Bahamas in what seemed like waves.[172] Also, because not "enough Bahamians wanted the onerous and unglamorous job of farm management, but even fewer wanted the back-breaking, sun-burnt 'slavery' of farm labour," an opening existed in The Bahamas for Haitian laborers.[173]

In 1957, farm laborers from the northwestern province of Haiti were aggressively recruited to work on a large-scale farming operation on the island of Abaco.[174] By the 1960s, the number of Haitian nationals living and working in The Bahamas—some 10,000 by 1962 and 20,000 by 1969—increased exponentially.[175]

2.   Haitian Immigrants Recognized as a Problem

By the 1970s—likely inspired by growing public impatience with the illegal immigration challenge and the need to secure promised jobs for Bahamians at all levels— even more focused national attention was brought to bear on the Haitian problem.[176] By the 1990s, Bahamians blamed the increasingly visible Haitian communities for "every

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171. Fielding et al., 38.

172. Craton and Saunders, *Islanders in the Stream,* 450.

173. Craton, *Pindling,* 188–89.

174. Craton and Saunders, *Islanders in the Stream,* 456.

175. Ibid., 452.

176. Morris, *Caribbean Maritime Security,* 110.

social and medical ill imaginable: tuberculosis, cholera, AIDS, malaria, prostitution, drug dealing, theft, violent crime, gang warfare, etc."[177]

By 2007, it was estimated that 75,000 Haitians in The Bahamas accounted for nearly 25 percent of the Bahamian population.[178] However, a 2013 International Migration Organizations (IMO) report indicated that there were between 20,000 and 50,000 undocumented Haitians living in The Bahamas. All things considered, Bahamian laborers found themselves competing with Haitian laborers willing to work for far less in a Bahamas with few jobs outside of the tourist industry or the civil service. Such a reality represents a terrifying proposition for many Bahamians, who live with the inherent fear that they are soon to be outnumbered by Haitian nationals in their homeland.

Bahamians initially took little notice of Haitian immigrants, as they often returned to Haiti or journeyed onward to the United States and Canada.[179] Evidence of successful Haitian immigrants to The Bahamas, along with worsening conditions in Haiti, however, not only encouraged more immigration, but also resulted in fewer willing returns to Haiti.[180] This reality forced the Bahamian government to enforce stricter immigration laws and policies to curtail the growing issue. As a result, the government of The Bahamas began the policy of rounding up and deporting illegal Haitian nationals in 1956.[181]

An immigration act was enacted under the newly minted constitution of 1963 by the British government in London to address concerns over the growing Haitian population in the colony. Among other things, the immigration act established a designation for the increasing number of children born to foreigners in the country who had previously claimed the status of "Belonger" and the right to permanent residency.[182]

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177. Craton and Saunders, *Islanders in the Stream,* 464.

178. "Peacebuilding In Haiti: Including Haitians Abroad*," Latin America/Caribbean Report* no. 24. (Port-au-Prince/Brussels: International Crisis Group, 14 December 2007), 8, http://www.crisisgroup.org/en/regions/latin-america-caribbean/haiti/024-peacebuilding-in-haiti-including-haitians-from-abroad.aspx.

179. Fielding et al., "Being Haitian in the Bahamas," 39.

180. Craton and Saunders, *Islanders in the Stream,* 454.

181. Marshall, *The Haitian Problem,* 99–102.

182. Marshall, *The Haitian Problem,* 105

3. Bahamian Response to the Haitian Problem

Elected on the promise of "Bahamianization—which might both reduce the ratio of whites in the population and raise the numbers of as yet unqualified non-white Bahamians to positions of wealth and power," Pindling's 1967 administration set out to stabilize apparently unregulated immigration in the country.[183] The fledgling government's immigration policy quickly came under heavy fire for allowing more latitude to white-collar workers—mostly from the United States, United Kingdom, and Canada—while turning a blind eye to the practice of importing "cheap black labour" from Haiti by businesses in the country.[184] Nonetheless, the policies of the new government aimed to mitigate illegal immigration from Haiti did little to slow the flow.[185]

Notwithstanding steady deportations, Haitians continued surreptitiously making their way to The Bahamas while justifications were supplied for the undisturbed presence of expatriate foreign workers as needed specialists in the banking and tourism industries. The government's philosophy on immigration might be summed up as follows: "While welcoming the outsider who can contribute towards the economy of The Bahamas, there will be no compromise on opposing the influx of foreigners which reduce the earning capacity of the Bahamian."[186]

Undeterred, the new regime sought to build on the 1963 immigration act, which granted immigration officers such sweeping powers as to "search without a warrant, to interrogate persons wishing to enter the Colony and require persons to sign a declaration of their intent, the power to require such persons to submit to medical examination, the power to arrest any suspected person without a warrant; indeed, Immigration Officers were given all the powers, privileges, protections and authorities conferred by law on a police officer."[187]

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183. Craton, *Pindling,* 53.

184. Ibid., 124.

185. Marshall, *The Haitian Problem,* 105.

186. Craton, *Pindling,* 53.

187. Marshall, *The Haitian Problem,* 105.

Despite best efforts by immigration authorities, "it seemed clear that up to that time the official policy of the Bahamian Government was not deterring the illegal Haitian migrants."[188] In desperation, the administration reportedly offered a reward of "two dollars a head" to any member of the public who turned in illegal immigrants.[189] Further, the government engaged Haitian officials in hopes of receiving support with the issue.[190]

B.   HAITI'S POLITICAL AND ECONOMIC CHALLENGES

Certainly, no other country in the Caribbean and Latin America—and few in the world—has demonstrated the strength and determination of Haiti as manifested in the defeat of France and the procurement of Haitian independence in 1804.[191] Since Haiti's courageous stance, however, the country has made marginal advancements and has for many years distinguished itself as being the poorest and most dysfunctional state in the western hemisphere.[192] Accordingly, there has been an "historical and widespread Haitian propensity to migrate," and their route of choice has been predominantly to The Bahamas and then to Miami, where there is also a sizeable Haitian population.[193]

All told, immigration has been appropriately described by experts as a "traditional 'escape valve' for Haitians."[194] In relatively recent years, the oppressive regime of Francois "Papa Doc" Duvalier (1957–1971), which both exemplified and amplified all manner of abuses that might be heaped on a people burdened by dictatorial rule, only served to exacerbate endemic political and social problems and fuel large swaths of mass-

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188. Ibid., 108.

189. Ibid., 108–09.

190. Ibid., 109.

191. Anthony P. Maingot, "Haiti: Problems of a Transition to Democracy in an Authoritarian Soft State," *Journal of Interamerican Studies and World Affairs* (1986): 75.

192. Craton and Saunders, *Islanders in the Stream,* 451. Christopher Rose in "Episode 11: The Haitian Revolution /15 Minute History recounts: "The Haitian Revolution, which took place between 1791–1804, is significant because Haiti is the only country where slave freedom was taken by force, and marks the only successful slave revolt in modern times. A ragtag force of slaves managed to unify Haiti, defeat Europe's most powerful army and become the first country in Latin America to gain independence, second only to the United States." See more at http://15minutehistory.org/2013/02/06/episode-11-the-haitian-revolution/.

193. Maingot, "Haiti: Problems of a Transition to Democracy," 79–81.

194. Ibid., 81.

migration from the country.[195] The politically ruthless Papa Doc indiscriminately killed anyone who dared to oppose his dictatorship and thereby ruled his country by pervasive fear. Many had little choice except to leave in search of a better chance at life.[196]

1. Haitian Resource Challenge

Often described as a kleptocratic state—one in which the "rule and misuse of state funds" is the norm—the Haitian government has traditionally ignored the frequent migration of Haitians en masse, and more often than not, under dangerous and perilous conditions.[197] With limited resources at home, there is little incentive for Haitian officials to stop illegal migration that provides an opportunity for foreign income that might be earned in the neighboring Bahama Islands.

Scholars assert that between "1976 and 1982 Haiti received $618 million in foreign aid" that was largely abused by the country's leaders.[198] Also, remitted monies have been influential in building the private housing sector of Haiti.[199] Haitian officials—likely incentivized by the prospect of foreign capital through international aid or remittances from migrant workers—have done very little to stem the flow of Haitian nationals to The Bahamas and elsewhere, as their prospects greatly improve abroad.[200]

Furthermore, until recently Bahamian citizens—who've generally enjoyed a relatively good economy and the ability to engage the cheap labor furnished by the large illegal Haitian immigrant population—have complained periodically, but have offered little help in mitigating the problem. The often nonchalant approach by immigration officials and indiscriminate hiring by those wanting cheap laborers, coupled with those who saw no issues with Haitian nationals being in the country presented three challenges for the government. These challenges included: "the ingenuity of the illegal immigrants

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195. Craton, *Pindling,* 362.

196. The New York Times, "Francois Duvalier," accessed 20 October 2015, http://topics.nytimes.com/top/reference/timestopics/people/d/francois.

197. Maingot, "Haiti: Problems of a Transition to Democracy," 84.

198. Ibid., 84.

199. Ibid., 86.

200. Ibid., 82.

in staying under cover, the connivance of Bahamian employers who welcomed workers who toiled hard for low wages, and sentiments of Bahamian black liberals" that saw similarities between Haitian and Bahamian culture.[201]

The end of the despotic Duvalier regime only intensified the efforts of Haitians to leave their native land in search of a better life for fear that the military now in charge of the country would intensify the abusive treatment it was known for as an instrument of the president. The months after Duvalier left, the USCG reported dramatic increases in interceptions of Haitian immigrants at sea.[202] With the end of Papa Doc Francois' rule, his equally corrupt and violent son, Jean-Claude, callously carried on abusing the people and plundering the country's scarce resources. As a result, estimates of Haitian nationals residing illegally in The Bahamas rose to forty thousand by the 1980s.[203]

To add insult to injury, Jean-Claude and his close cronies were jetted off to the south of France and the lap of luxury with more than $1 billion in 1986, while penniless Haitian immigrants doubled their efforts to escape abstract poverty by risking life and limb in unseaworthy boats in hopes of reaching the islands of The Bahamas.[204] Undoubtedly, the willingness of Bahamians to hire cheap laborers, coupled with the ease of penetrating porous Bahamian maritime borders, offer irresistible conditions for Haitians just across the Windward Passage.[205]

Many Haitian immigrants made claims of political abuse when escaping their military-controlled homeland in hopes of acquiring political asylum in any country that would take them. American and Bahamian immigration officials—who were primarily forced to deal with the exodus—deemed the immigrants economic and returned them

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201. Craton, *Pindling,* 362.

202. Morris, *Caribbean Maritime Security,* 110.

203. Craton, *Pindling,* 362.

204. Maingot, "Haiti: Problems of a Transition to Democracy," 85.

205. Craton and Saunders, *Islanders in the Stream,* 453.

directly to Haiti.[206] They could be directly returned to their homeland once it was determined that they had no legitimate claim for political asylum.[207]

2.   Emigrants Support the Haitian Economy

In recent years, along with the IMO, the Haitian government has attempted to increase job opportunities in hopes of diminishing emigration.[208] Despite claims by the IMO that it helped more than "22,000 people in the Port-de-Paix area" with jobs, "three-quarters of Haiti's adult population" remain jobless.[209] Such prospects do not bode well for halting emigration, which since 1990 has become exceptionally important to the development of migrant countries like Haiti, with large unemployed and relatively unskilled populations.[210]

The veracity of claims by the Haitian government that it wants to reduce Haitian emigration is questionable, since remittances directed toward Haiti by emigrants are substantial. Experts aver that the numbers of emigrants produced by a country can have a substantially positive impact upon its economy.[211] Monies sent home by Haitian workers abroad accounted for Haiti's 2006 ranking as the recipient of the highest per annum percentage of GDP in remittances.[212] The World Bank's *Global Economic Prospects 2006* reports that "remittances to middle- and low-income countries in 1990 amounted to about US$31 billion."[213] By 2005, remittances reached an astounding US$200 billion, of

206. Morris, *Caribbean Maritime Security,* 110.

207. Ibid., 111.

208. Nick Davis, "Haiti Migrants Risk Sea Journey for Better Prospects," *BBC News,* 28 May 2014, http://www.bbc.com/news/world-latin-america.

209. Ibid.

210. John Page and Sonia Plaza, "Migration Remittances And Development: A Review of Global Evidence," Paper presented at the Plenary Session of the African Economic Research Consortium (World Bank, 2005), 12, http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCMQFjABahUKEwjXpdCP3rvIAhUI1mMKHRpTCLA&url=http%3A%2F%2Fsiteresources.worldbank.org%2FINTAFROFFCHIECO%2FResources%2FMigration_Remittances_and_Development.doc&usg=AFQjCNH9vG-DQy-_wKqxzv8ULRVTCdXSSg.

211. Ibid.

212. Pablo Fajnzylber and J. Humberto Lopez, eds., *Remittances and Development: Lessons from Latin America* (World Bank, 2008), xix.

213. Fajnzylber and Lopez, eds., *Remittances and Development*, 1.

which US$50 billion went to the Latin America and Caribbean region.[214] In 2012, remittances to Haiti from the United States were estimated to be US$1.1 billion.[215] During that same year, US$29 million was directed toward Haiti from The Bahamas.[216]

That said, it must be noted that as with immigrants, reliable statistics on remittances are elusive and it is believed that unofficial transfers are actually "2.5 times that formally recorded."[217] With 5,000 documented and perhaps upward to 50,000 undocumented Haitians in The Bahamas, it is not inconceivable that the unofficial transfer of monies to Haiti is astronomically more than formally recorded.[218] Either way, it is reasonable to assert that Haitian immigrants to The Bahamas sent more than US$72 million to Haiti in 2012. Haiti's per capita GDP in 2012 was reported to be US$1,200.[219]

3.   Equipment and Manpower Deficits

Apart from the very strong disincentive provided by remittances from emigrants, the Haitian government is hard-pressed to mitigate emigration due to its lack of human and other resources. It is simply not enough for Haitians abroad to send monies home, but academics agree that "Haitian expatriate human capital must relocate back to Haiti."[220] Such a proposition, however, is unlikely until Haiti's economic and political dispositions demonstrate more promise.

Additionally, as the poorest country in the Western hemisphere, Haiti has literally no resources to spend on initiatives aimed at preventing illegal emigration. The mayor of the island of Tortuga—an active embarkation point for many making the journey to The

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214. Fajnzylber and Lopez, *Remittances and Development*, 1.

215. Chiamaka Nwosu and Jeanne Batalova, "Haitian Immigrants in the United States," *Migration Information Source,* 29 May 2014.

216. Pew Research Center, "Remittance Flows Worldwide in 2012" (Washington, DC: 20 February 2014), http://www.pewsocialtrends.org/2014/02/20/remittance-map/.

217. John Page and Sonia Plaza, "Migration Remittances and Development," 9–10.

218. Rupert Missick, "Haitians: Up To 50,000 Living In Bahamas Without Documents," The Tribune, accessed 5 December 2015, http://www.tribune242.com/news/2013/jul/29/haitians-50000-living-bahamas-without-documents/.

219. Index Mundi, "Haiti GDP—Per Capita," http://www.indexmundi.com/haiti/gdp_per_capita_(ppp).html.

220. "Peacebuilding In Haiti: Including Haitians Abroad," 1.

Bahamas—puts the point thus: "We have one policeman for 45,000 inhabitants."[221] This ratio is curious, though, because the Haitian National Police Force's (HNP) complement was recently increased to 12,200, most of whom are deployed elsewhere in the country to fight the drug problem.[222]

Nonetheless, direct responsibility for securing the nation's open maritime borders falls to the Haitian Coast Guard (HCG), which is gravely undermanned and without essential matériel, but operates bases in Cap Haitien (North region), Killick (Port-au-Prince), and Les Cayes.[223] While just less than forty nautical miles northwest of Cap Haitien from an HCG base in the north of Haiti, covering migrant activity in Tortuga presents quite a challenge for a maritime force that has 134 personnel, lacks essential equipment, and is without resources.[224] The HCG has a complement of twenty maritime units, of which eight are serviceable.[225] What is more, the entity's operational capacity is low due to "insufficient funding, management deficiencies, and inability to refuel and maintain" its vessels.[226] Haitian resources are scarce for funding the HCG, but unless more is done, Haitians will likely continue to die tragically at sea.

4.   Too Many Tragic Deaths at Sea

Over the years, it is believed that "thousands of Haitians risk their lives trying to make the perilous sea voyage from their country to one of its wealthier Caribbean neighbours."[227] American State Department officials have estimated that "as many as half the Haitian boat people die at sea during the voyage" to neighboring countries.[228] In pursuit of a better existence they "cram themselves into small boats which are often far

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221. Davis, "Haiti Migrants Risk Sea Journey."

222. U.S. Department of State, "Country Report: Haiti," http://www.state.gov/j/inl/rls/nrcrpt/2015/voll/2387977.htm.

223. Ibid.

224. Ibid.

225. Ibid.

226. Ibid.

227. Davis, "Haiti Migrants Risk Sea Journey."

228. Morris, *Caribbean Maritime Security,* 110.

from seaworthy" and they "run the risk of capsizing" at sea.[229] These unsanitary vessels carry no life vests despite having passengers who are predominantly non-swimmers.[230]

Ruthless immigrant smugglers, who prey on the desperation of those seeking a way out of Haiti, are known to have "literally push[ed] people in the water" miles from shore, often resulting in their drowning.[231] In 2013, the *New York Times* reported that at least thirty Haitians drowned in the central Bahamas near Harvey Cays in the Exumas.[232] Here, a forty-foot Haitian sloop—a locally built wooden sailboat—with approximately sixty souls on board ran aground and capsized while likely en route to Nassau, New Providence.[233] This scene has been repeated too many times in the past and is highly likely to be repeated in the future unless efforts are made to address the issue.

C.   ABSENCE OF NATIONAL SECURITY STRATEGY

At present, it is conceivable that unless the Haitian problem is handled in a far more meaningful fashion by the Bahamian national security complex than is presently the case, civil unrest is possible.[234] According to a local daily, the U.S. government deems the situation uncontrollable and asserts that it has the "potential to explode someday in The Bahamas if constructive policies are not introduced" to settle attending problems such as integration of Haitian immigrants.[235] The knotty issue has "been an obvious challenge to successive governments due in large part to limited resources and some would say, a lack of planning."[236]

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229. Davis, "Haiti Migrants Risk Sea Journey."

230. Ibid.

231. Mark Potter, "The Maritime Border: More Haitians and Cubans Risk Their Lives at Sea," *NBC News,* http://www.nbcnews.com/storyline/immigration-border-crisis/maritime-border.

232. Francis Robles, "At Least 30 Haitians Die After Boat Capsizes," The New York Times, 26 November 2013, http://www.nytimes.com2013/11/27.

233. Ibid.

234. Erica Wells, "Heavy Haitian Burden," *Nassau Guardian,* 27 June 2011, http://www.thenassauguardian.com/index.php?option=com_content&view=article&id=11.

235. Ibid.

236. Ibid.

The Bahamian national security plan to mitigate the Haitian problem, as practiced for more than fifty years now, has been almost entirely spontaneous. Nonetheless, during the last general elections campaign cycle in 2012, both major political parties vying for governance of The Bahamas promised measures to mitigate Haitian immigration to the country. Both generally promised to better secure Bahamian borders in part by fortifying the ability of security agencies to better execute their task.

The governing Progressive Liberal Party (PLP) said that it would safeguard the country from illegal immigrants and "promote policies that seek to bring about harmonious, sound development and integration among all persons acting lawfully within our borders."[237] The official opposition, the Free National Movement (FNM), at the time the incumbent administration, vowed to "reduce illegal immigration through the continuous conduct of regular and routine arrests, detention and repatriation," coupled with efforts to regularize the status of children born in the country to non-Bahamians.[238] Both political parties ultimately made the same promise, but neither ventured into detailing any plan to accomplish their declarations.

The Bahamas is yet to invoke a national security strategy beyond materiel and manpower to stop illegal Haitian immigrants from invading the country at will. Hence, apprehend, detain, and repatriate remains the policy of the day.

D.   CONCLUSION

At a meeting convened in March 2015 by the IMO to address the matter of the "tragic and troubling issue of migrants by sea from North Africa to Europe," a Bahamian spokesperson informed the body that some three thousand illegal immigrants—the overwhelming majority of whom were Haitian—had been repatriated to their home countries at the expense of the Bahamian taxpayer thus far that year.[239] Moreover, during

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237. PLP, *A Charter for Governance: Believe in The Bahamas,* 117, http://docslide.us/documents/plp-a-charter-for-governance.html.

238. Free National Movement (FNM), *Manifesto 2012: We Deliver*, 23, http://www.bahamaslocal.com/files/FNM-Manifesto-2012-2.pdf.

239. Bahamas Statement to IMO-High Level Meeting to Address Unsafe Mixed Migration by Sea, 4–5 March 2015, https://www.imo.org/en/About/Events/Documents/migrantspresentations/u%20bahamas.pdf.

the mid-year budget communiqué to Parliament, the minister responsible for immigration informed the country that the $BS 1.5 million allotted for annual repatriations had been depleted.[240] Apart from the recurring costs of search and rescue and lodging of illegal immigrants, other services, including education, transportation, and health, are deprived of much-needed fiscal support.[241]

Since the late 1960s, Bahamian executives—being acutely aware of the seemingly insolubility and entrenched outlook of the Haitian problem and the impending political backlash sure to follow—reached out to the Haitian executives who could offer no more than a promise of receiving forcibly returned nationals.[242] Since then, the situation remains the same. Despite the departure of predatory political elites and undemocratic military regimes from the power base of Haiti, the country's socioeconomic prognosis remains dire.[243] With such an outcome, The Bahamas must change the way it has conducted the fight against illegal immigration from Haiti.

Undoubtedly, a marked change in Bahamian policy of "sporadic round-ups and deportations" instituted since the late 1950s is desperately needed.[244] The policy has clearly proven futile, as the Haitian community in The Bahamas continues to grow year by year. Costs associated with interdiction, detention, and repatriation are increasing with no signs of abatement.

Last but not least, there is no cause for optimism that things will soon improve in Haiti. An aspirant for the presidency of Haiti, Jean H. Charles, candidly makes this point in an editorial recently published in a Bahamian local. In the article, Charles suggests that

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240. Bahamas Statement to IMO-High Level Meeting.

241. Ibid.

242. Craton, *Pindling,* 362.

243. Max Manwaring, Donald E. Schultz, Robert Maguire, Peter Hakim, and Abigail Horn, "The Challenges of Haiti's Future," Report on conference sponsored by U.S. Army War College, Georgetown University, and *Inter-American Dialogue,* 22 August 1997, http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB36.pdf.

244. Smith, "Bahamian Angst Over Shanty Towns."

the "lack of sound institutions and infrastructure" continue to encourage the nomadic activity of Haitians.[245]

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245. Jean H. Charles, "Haiti—A Nation in Disarray and a Population in Distress," *Nassau Guardian,* 14 October 2015, http://www.thenassauguardian.com/opinion/op-ed/59849-haiti--a-nation-in-disarray.

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V.   CONCLUSION AND RECOMMENDATIONS

Repetitio est absurdum[246]

National security in the Bahamian context, like elsewhere, must account for the judicious management of scarce resources in order to achieve optimal results in protecting the island nation from both internal and external threats. Ad hoc reactions to foreseeable problems are unacceptable in the existing threat environment where smugglers, potential terrorists, and others seek to take advantage of national security weaknesses. It is simply no longer acceptable—even for developing nations like The Bahamas—to periodically throw manpower and scare resources at problems in hopes of a miraculous outcome. Meanwhile, rising levels of domestic and transnational crimes continue to threaten and jeopardize the country's relatively outstanding tourism-driven economy.

After forty-three years of independence, successive Bahamian governments have failed to evolve beyond the colonial model of knee-jerk reactions to security challenges. Instead of creating a comprehensive national security strategy, the country has left its strategic development to chance. As a result, responses to challenges overall have been reactionary and not anticipatory. Even existing challenges, such as the Haitian problem, remain without a broad, well thought-out response, beyond apprehension, detention, and forced repatriation. Because Haitian immigration and other localized issues do not directly impact the United States as does the drug trade, Bahamians will have to determine solutions on their own. Perhaps an involved NSC explicitly geared toward advising the prime minister can inspire traction beyond the present posture.

The country must now consider concrete steps toward shaping its security complex toward the apprehension of known and unknown threats by creating a comprehensive national security strategy that accounts for all possible eventualities. This thesis reveals that since the chance discovery of the islands of The Bahamas in 1492 to

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246. David Roper, "The Daily Grind," *Our Daily Bread*, 3 November 2015, http://odb.org/2015/11/03/the-daily-grind/. *Repetitio est absurdum* is Latin and translates to "repetition is absurd."

their attainment of independence in 1973, the Bahamian government's haphazard approach to historical criminality in the country's vast maritime domain has not changed. It asserts that in order to arrest this notable deficiency and better safeguard the county's vital tourism industry, create a safer environment for residents, and bring considered focus to the persistent Haitian problem, The Bahamas should operationalize its NSC through improved CMR to enable the creation of a holistic national strategic strategy that includes the country's entire security complex.

Like many former British colonies, The Bahamas inherited strong public institutions and established bureaucracies upon independence, but a comprehensive national security organization was not among them. Seven years following independence, The Bahamas erected the RBDF and fashioned it as much as practicably possible into a scaled-down version of the British Royal Navy. The RBDF was charged with safeguarding the nation's porous maritime borders. Despite ensuring that the entity's officers and enlisted personnel are professionally trained to perform their tasks, civilian leaders have not sought the necessary qualifications needed to effectively manage a military organization. In reality, the lack of strategic vision exhibited by Bahamian civilian leaders since independence is a result of a failure to pursue the required training for civilian managers in this regard.

Inadequate institutionalization of The Bahamas' national security complex has invited occasions for opportunistic maritime law-breaking in the islands over the years. Even with American help, drug smuggling, arms trafficking, and illegal immigration still thrive in the country. Apparently underestimating the weight and intricacies of foreign affairs and domain security, an untried Bahamian government failed to check an out-of-control drug trade in the islands in the 1980s and attracted American ire as a result. The eventual mending of U.S.–Bahamian partnerships aimed at securing their connecting borders signaled collective intolerance to illegality in The Bahamas. Bahamian leaders can ill-afford to repeat this mistake. Unchecked security issues will not bode well for the county's thriving tourist industry.

The present realities of regional geopolitics beg all-around adjustments in The Bahamas. Like other former colonies that inherited relatively decent institutions from the

British, The Bahamas must now figure out its place in a region no longer dominated by the "East-West ideological cloud," which predominantly shaped their security posture in America's favor.[247] In the end, many Caribbean nations continued in the British legacy of acquiescence to the United States.[248] The end of the Cold War, however, resulted in a shift in American policy, which in the 1980s evinced America's "preeminence in global political, economic, and military affairs" as Reagan's government sought to eradicate any vestiges of communism from the region.[249] Except for the war on drugs, the United States has pretty much left everyone in the region to deal with their own problems.

Although the nation's current chief executive, Prime Minister Perry Christie, appreciates the need for better employment of the NSC to address the country's national security concerns, no concrete measures have yet materialized to meet the challenges. An additional consequence of the deficient civil–military relations is the apparent Bahamian inability to resolve the problem of uncontrolled Haitian immigration to the country for more than fifty years now.

Caribbean experts aver that "the Caribbean runs an acute risk of irrelevance" should it fail to adapt to a constantly evolving international environment.[250] As The Bahamas leads the region in other areas, it must now seek to lead in the area of national security sector reform. The Haitian problem provides the perfect challenge to demonstrate Bahamian will and ability to step—even if only incrementally—outside of the shadow of American hegemonic safety and effect change in both the country and the wider Caribbean region.

Since the 1960s, Bahamian security and immigration agencies have sought to alleviate the burden of undocumented Haitian laborers and their families to the socio-economic challenges of The Bahamas. Due to Bahamian appetite for the cheap labor Haitians provide and worsening economic and political dispositions in Haiti, the problem

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247. Griffith, *Caribbean Security on the Eve of the 21st Century,* 5.

248. Humberto Garcia Muniz, "Decolonization, Demilitarization, and Denuclearization in the Caribbean," in *Strategy and Security in the Caribbean,* edited by Ivelaw L. Griffith (Greenwood Publishing Group, 1991), 27.

249. Griffith, *Caribbean Security on the Eve of the 21st Century ,* 6.

250. Ibid., 13.

has worsened over the years. As it is unlikely that conditions in Haiti will change any time soon, Bahamians must consider measures beyond their past initiatives before their small population is displaced, as feared by some.

A.   RECOMMENDATIONS

A departure from current Bahamian policies relative to the Haitian problem is needed. Instead of merely seeking to apprehend and repatriate illegal Haitian immigrants attempting to enter or already in the country, Bahamian policy makers should create a far-reaching strategy that includes enforcing existing laws, developing strategic initiatives, completing efforts to decentralize RBDF operations, and undertaking strategic communication campaigns in Haiti.

The following recommendations are intended to address the major challenges associated with the Haitian problem and are offered for consideration by Bahamian policy makers and national security strategists.

1.   Operationalize the NSC

By more civilian involvement in the management of the country's national security affairs through dedicated CMR, the country might be better positioned to deal with the threats it faces. Reconsideration of the country's national security dilemma requires the urgent attention of Bahamian leaders.

Christie might consider a scaled-down version of the American national security complex for his ailing and imperiled national outlook. Bahamian officials must prepare their NSC to manage the affairs of national defense, foreign relations, intelligence, and law enforcement in order for it to positively effect change of the status quo. To achieve this outcome, the NSC must be enabled to create strategy, coordinate policy, and inform strategic operations aimed at safeguarding the country's borders and economic future.

Such an exertion should include coordination of the essential ministries, departments, agencies, and other stakeholders with a view of creating a cohesive and wide-reaching national security strategy, capable of implementation that is cognizant of the threats to be mitigated. All aspects of national security and defense must be

incorporated into a single administrable whole, including the RBDF, Royal Bahamas Police Force (RBPF), immigration operatives, intelligence agencies, diplomacy, and health and environmental ministries.

To achieve this end, Bahamian legislators should enact the necessary legislative measures and instruments by which parliamentary funding and oversight might be achieved. A director of national security affairs should be created to guide the operations of the NSC toward desired objectives. Such an individual would be responsible to the prime minister and legislators for advising on policy and strategies and the dissemination of the same under executive authority.

Immediate inroads can be made into the ongoing Haitian problem in The Bahamas if authorities simply seek to enforce laws already in place. It is recommended that the government develop docking facilities at Inagua to accommodate and service RBDF craft. This would enable RBDF craft to be stationed at Inagua, which would provide better and more consistent coverage of the southern quadrants of The Bahamas. This would increase the likelihood of immigrant interdictions in that region. Authorities intent on better securing Bahamian borders should consider taking initial steps such as enforcing existing laws pertaining to hiring undocumented immigrants, more deliberately managing restricted vessels, vigorously enforcing international conventions relative to the safety of life at sea, and implementing strategic measures to address Haitian immigration.

2. Enforce Existing Laws

Bahamian officials can begin to discourage illegal immigration from Haiti by simply enforcing existing laws and by so doing discourage the hiring of undocumented immigrants. Authorities should also crack down more willfully on restricted vessels from Haiti, and enforce more adherences to the International Convention for the Safety of Life at Sea (SOLAS) relative to unseaworthy Haitian sloops wishing to enter The Bahamas.

3. Gainful Employment of Illegal Immigrants

Bahamians of all strata of society have traditionally engaged in the practice of hiring illegal Haitian immigrants, who offer a ready source of cheap labor. The country's

Immigration Act, Part VI, section 29(1) prohibits this entrenched custom. The act stipulates that only Bahamian citizens, certified permanent residents, or holders of work permits are authorized by the Minister of Immigration to engage in gainful employment.[251] Undocumented Haitian immigrants do not fall within these permissible categories of persons entitled to gainful employment in The Bahamas.

Subsection 3 of section 29 of the act also makes it illegal for any other person, "whether on his own behalf or on behalf of another," to employ undocumented immigrants. As such, it is recommended that immigration officials enforce existing laws pertaining to the engagement of illegal immigrants in their entirety. Currently, immigrants are arrested and repatriated, while those who hire them are left to carry on as normal. Enforcing these laws consistently would discourage the accepted custom of hiring undocumented Haitian immigrants, despite the illegality of doing so.

4.   Restrict Immigration Vessels

Haitian sloops—frequently used to smuggle undocumented immigrants from Haiti to The Bahamas—are generally defined in Bahamian law as "specified vessels."[252] Such vessels have been banned from plying Bahamian territorial waters since 1980. Section 3(1) of the Immigration (Vessels Restriction) Regulations provides that "no specified vessel shall enter The Bahamas from any port in Haiti except at the port of Matthew Town, Inagua."[253] As a result, any specified vessel failing to adhere to the regulation is subjected to a $500 fine.[254]

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251. Immigration Act, section 29, http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1967/1967-0025/ImmigrationAct_1.pdf. The island of Inagua is the most southern of all Bahamian islands and, as such, is the designated port of entry for all vessels entering the southern quadrants of The Bahamas. As the nearest Bahamian port to Haiti, it provides the natural point of entry for legitimate vessels entering Bahamian territory. See Bahamas Handbook, 2014, pages 440–41 for a listing of designated Bahamian ports of entry.

252. Immigration (Vessels Restriction) Regulations, section 2, http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/1980/1980-0061/ImmigrationVesselsRestrictionRegulations_1.pdf. The section describes specified vessels as any vessel below one hundred net tons.

253. Ibid., section 3(1).

254. Ibid., section 3(5).

Smuggling undocumented immigrants into The Bahamas is a lucrative business for Haitian smugglers. It is recommended that the regulation be strictly enforced by holding identified smugglers accountable for their exploits. The fine for specified vessels should be increased to at least $5,000 for first-time offenders, and the vessel of any second-time offender should be confiscated, except in circumstances of force majeure. The frequency and gravity of immigrant smuggling from neighboring Haiti demands no less. Strict enforcement of the law, coupled with steeper fines, would serve to diminish immigrant smuggling.

5.   Enforce SOLAS Convention

The Bahamas acceded to SOLAS on February 16, 1979.[255] Haiti acceded to the convention in 1989.[256] Contracting states are obliged to establish "uniform principles and rules" geared toward "promoting the safety of life at sea."[257] As such, deterring unsafe and overcrowded Haitian sloops from leaving Haiti is the responsibility of Haitian authorities. Aware of the current enforcement and bureaucratic deficiencies in Haiti, The Bahamas should consider offering its assistance to the Haitian government in this regard. Haiti is resource challenged and therefore unable to competently execute coastal patrols. Offering Bahamian resources and personnel to assist with developing Haitian maritime law enforcement personnel and providing maritime platforms from which to operate would go a long way toward solving this problem.

Haitian sloops are ill-prepared to put to sea safely.[258] Ultimately, Bahamian authorities are also obliged to enforce the convention by seeking to prevent Haitian sloops with no navigation aids, lifesaving equipment, or communications apparatus from landing at Inagua in hopes of preventing the senseless loss of Haitian lives at sea.

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255. IMO Documentation, "International Convention for the Safety of Life at Sea, 1974, as Amended" (SOLAS, 1974), 1, https://imo.amsa.gov.au/public/parties/solas74.html.

256. Ibid., 3.

257. United Nations, Treaties and International Agreements, Registered on 30 June 1980, no. 18961, vol. 1185, 278, https://Volume%201184/volume-1184-I-18961-English.pdf .

258. Marine Accident Investigation Branch, "Report on the Investigation of the Capsize of an Un-named Haitian Sloop, on 4 May 2007," (Report N0 17/2007; Southampton, United Kingdom, August 2007), 18, https://assets.digital.cabinet-office.gov.uk/media/547c702840f0b60241000083/HaitianSloopReport.pdf.

Steps should be taken to prevent ill-equipped and unsafe Haitian sloops from departing Haiti or entering Bahamian waters in an effort to prevent untold numbers of Haitian immigrants from needlessly perishing at sea.

6.   Build Haitian Partnership to Mitigate Illegal Immigration from Haiti

Only through creative initiatives replete with sound strategic policies and partnerships with Haiti will The Bahamas begin to make advancements in truly mitigating the Haitian problem. This position is supported by successful U.S.–Bahamian agreements, such as the Comprehensive Maritime and OPBAT agreements, developed to stem the flow of drugs to the United States via Bahamian territory.

7.   Develop a Comprehensive Maritime Agreement with Haiti

A comprehensive maritime agreement (CMA) between The Bahamas and Haiti akin to the one between The Bahamas and the United States should be pursued. Like The Bahamas at the height of the drug war, Haiti lacks materiel and necessary expertise to police its maritime domain. The Bahamian–U.S. CMA allows U.S. Coast Guard assets to conduct maritime law enforcement patrols in Bahamian territorial waters with RBDF personnel on board to facilitate legal boardings of suspected vessels.

A Bahamian–Haitian CMA would permit RBDF assets to patrol Haitian territorial waters with Haitian National Police (HNP) officers on board to authorize boardings of other vessels. RBDF instructors can train HNP staff in maritime operations, if necessary. Further, confiscated boats suitable for inshore patrol can be turned over to HNP to enable the establishment of a maritime presence in Haiti to thwart and discourage dangerous immigrant voyages.

8.   Establish Labor Exchange in Haiti

In the 1950s, companies in The Bahamas recruited Haitian laborers to work in the country legally. As a result, Haitian laborers have become a staple of Bahamian society, albeit nowadays, illegally. The Bahamian and Haitian governments should consider operationalizing a labor exchange regime in Haiti that would give Haitian laborers access

to lawful entry into The Bahamas. This would likely lessen the incentive for immigrants to try to enter The Bahamas illegally.

It is recommended that the Bahamian government seek to establish a labor exchange in Haiti to allow Haitian workers an avenue for lawful entry into The Bahamas. Such a center might be staffed by Bahamian immigration and consular personnel, who would ensure applicants are vetted and hold the necessary documentation to fill available opportunities in The Bahamas for predetermined jobs and prescribed periods of time.

9.　Decentralize RBDF and Immigration Operations

More priority should be given to decentralizing the maritime operations of the RBDF. Apart from the small contingents of RBDF personnel presently operating in Nassau Harbour, Abaco, Bimini, Exuma, Grand Bahama, and Inagua, the central operation of the RBDF is at HMBS Coral Harbour Base in New Providence. The Haitian problem demands a constant and sustained maritime presence in the southeastern Bahamas.

10.　Develop a Forward Operational RBDF Base at Inagua

As the southernmost island in the archipelago, Inagua is of tremendous geostrategic importance to the national security of The Bahamas. This is the case because most maritime threats to The Bahamas enter through the southern islands of the country. The RBDF maintains a satellite base at Matthew Town, Inagua, which must be urgently upgraded to more kinetic operational status. This improvement can be achieved through the permanent placement of various classes of RBDF patrol boats, reconnaissance aircraft, long-range radar facilities, and requisite operations and technical support staff at the base.

11.　Construct Immigrant Detention Facilities at Matthew Town

At present, most Haitian immigrants intercepted in The Bahamas are transported to Nassau, New Providence, for vetting and holding in the immigration detention center before being repatriated to Haiti. The construction of a modern immigration facility at Matthew Town, Inagua, would eliminate the need to transport immigrants all the way to

Nassau for processing and eventual repatriation. Such a facility should be constructed and staffed by requisite RBDF security, immigration, ministry of health, consular staff, and social services personnel to meet all possible eventualities.

12. Develop Strategic Communications Campaign

The government of The Bahamas should initiate a strategic communications campaign in Haiti to warn of the potential perils of the voyage from Haiti to The Bahamas. The focus of the campaign should be on the many deaths that occur during such journeys and the notion that even if lucky enough to land safely in The Bahamas, work permits are required to participate in gainful employment, and authorities will apprehend, detain, and forcibly return them to Haiti.

Such a campaign envisions complete coverage of Haiti with the support of the Haitian government and relative non-governmental organizations.

B. EPILOGUE

There is no silver bullet capable of eliminating the age-old challenge of illegal immigration. Simply accepting the status quo relative to unabated Haitian immigration to The Bahamas has long been intolerable. The recommendations made in this thesis—which are by no means exhaustive of potential initiatives and actions that might be taken to mitigate the problem—are provided consideration and with a view of changing the status quo. As such, they are offered for serious consideration.

In the present condition, The Bahamas will continue fighting the still unresolved and growing Haitian problem in the same manner as has been practiced for the past fifty years, and will likely reap the same circular results. Should the recommendations offered be accepted, focus will come to the problem and long-term solutions are likely to be formed, implemented, and realized. Moreover, Bahamians might begin to directly shape their strategic outcomes rather than waiting for uncontrollable events and others to do it for them. In any event, repeating the last half century relative to the Haitian problem in The Bahamas would be nothing short of absurd.

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